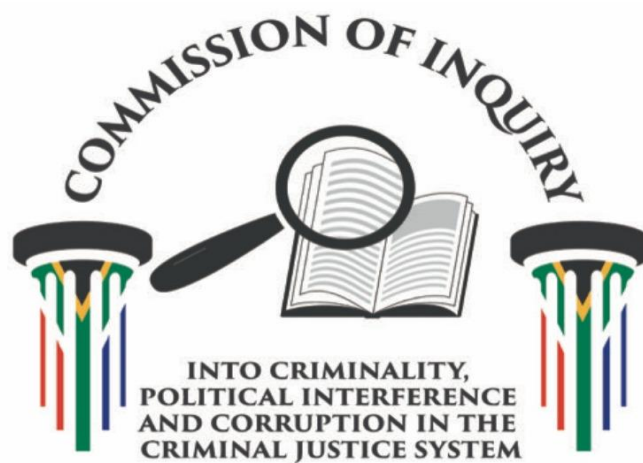


JUDICIAL COMMISSION OF INQUIRY INTO CRIMINALITY,
POLITICAL INTERFERENCE AND CORRUPTION IN THE
CRIMINAL JUSTICE SYSTEM

HELD AT
BRIGITTE MABANDLA JUSTICE COLLEGE

18 JUNE 2026

DAY 121



PROCEEDINGS HELD ON 18 JUNE 2026

CHAIRPERSON: Are you both presenting? Are you both saying something this morning? Good morning, good morning Ms Poee.

ADV POOE: Good morning, Commissioners.

CHAIRPERSON: Yes, Ms Poee.

ADV POOE: Commissioners, there are two issues that need to be dealt with this morning. The first is an in-camera application by Witness J. Commissioners, you
10 would have seen that earlier this week, Witness J submitted to the Commission an application to be heard in complete camera, citing three reasons in the main.

Safety and security concerns for himself and his family. The second is to protect investigative needs and ongoing investigation concerns. And the last is to protect investigative methods. This application is not brought by the Evidence Leaders, but is brought by the witness himself, but is supported by the Evidence Leaders.

Notice was given to members of the media and the
20 public, albeit later than the 72 hours we had initially agreed upon, and that was caused of course by the fact that the witness only alerted us late that he would need such protections. The media received the notice and we received one opposition, but after engaging with that particular media house, it was agreed that the transcript of the in-

camera proceedings would be made available to the media, of course redacting any information that will reveal the identity of the witness and any information that may compromise the integrity of the investigation.

And so, as matters stand, with just that caveat, the application is unopposed And we move for an order in those terms, Chairperson, of course, subject to the Commissioners.

CHAIRPERSON: Thank you, Ms Poee.

10

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RULING

In applying for a full in-camera hearing, Witness J has first asserted that if they were to be seen publicly, they would be exposed to the risk of harm, risk of harm to themselves and to their family. Second, they have averred that divulging certain parts of their testimony, they compromise ongoing investigations. I have look closely at the affidavit filed in support of the application. I am satisfied that there is substance in the application.

20

For completeness, I must mention that the Evidence Leaders support the application. They have undertaken to make the transcript of Witness J's testimony available to the media not later than Monday, 22 June 2026. According to the undertaking, any testimony that is likely to reveal Witness J's identity or compromise ongoing investigations

will be redacted from the transcript. I make the following ruling:

[1] The testimony of Witness J will be heard in-camera.

[2] The Evidence Leaders must make available to the media a transcript of the in-camera proceedings by no later than Monday, 22 June 2026.

[3] The transcript must be redacted to protect the identity of Witness J and the integrity of ongoing investigations.

That is the ruling.

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ADV POOE: Thank you, Chairperson. The second issue on the table today is you will recall that last week an application for postponement was moved by the representatives of Mr Nku. He was then scheduled to appear today.

The Evidence Leaders considered the scheduling as well as the fact that Mr Nku's evidence is likely to take more than one day, even if we were to sit late. Moreover, the evidence of General Senona is scheduled to take place tomorrow, and that evidence cannot be moved. And so we thought it appropriate to reschedule Mr Nku's testimony to next week where sufficient time for his complete testimony can take place, so as to avoid Mr Nku being part heard if we

were to begin with him today. And so we ask the Commissioner's indulgence in that regard and for Mr Nku's testimony to be heard next week.

CHAIRPERSON: And what arrangements have been made to ensure that he will be in attendance, seeing that he is not here?

ADV POOE: My apologies, Chairperson. I am remiss to mention that Mr Nku and his representatives are in the building. Perhaps we should just take a short adjournment
10 so that they can join us.

CHAIRPERSON: Let us do that. We will come back when we are ready. Let us adjourn.

INQUIRY ADJOURNS

INQUIRY RESUMES

CHAIRPERSON: Good morning. Please place yourselves on record.

MR EKSTEEN: Good morning, Chair. My name is Johan Eksteen. I am from BDK Attorneys. I am the legal representative for Mr Nku.

20 **CHAIRPERSON:** Thank you. Thank you, Mr Eksteen. Good morning, Mr Nku.

MR NKU: Good morning, Chair.

CHAIRPERSON: Thank you. If you want to, please repeat everything you said before your colleagues came in.

ADV POOE: Yes, Chair. Chair, last week an application

was moved, agreed to by the parties to have Mr Nku's evidence postponed from last week to this week today. And having considered the scheduling and the potential length of Mr Nku's testimony, the Evidence Leaders deemed it fit to reschedule him to next week at a time where sufficient time can be given for his testimony.

We have engaged with Mr Nku's legal representatives and are in the process of agreeing to the dates for next week. And so we would request a
10 postponement to next week on dates to be agreed between the parties later on today.

CHAIRPERSON: Mr Eksteen?

MR EKSTEEN: Good morning, Chair. I confirm what my learned friend has placed on record, Chair, that we have been informed about the problems for Mr Nku not to testify today and that next week would be then agreed between the parties, which will then Mr Nku will make himself available with us available.

CHAIRPERSON: Mr Nku, seeing that – I have already
20 greeted you, Mr Nku.

MR NKU: Yes, Chair.

CHAIRPERSON: Yes. You have heard everything that was said.

MR NKU: Absolutely.

CHAIRPERSON: If we had a specific date, we would be

postponing to a specific date, and then I would be directing you to appear on that date. And if you were to fail, having been directed to be here on a specific date, that would have legal consequences for you. Now I am not in a position to indicate a date because there is still to be agreement between the lawyers. But do you undertake to be here on that date, on the agreed date?

MR NKU: I am in the hands of the Commission. I am obliged.

10 **CHAIRPERSON**: You will attend?

MR NKU: I am obliged.

CHAIRPERSON: You will attend. Thank you very much. The hearing of Mr Nku's testimony is postponed to a date to be agreed. I am specifically not mentioning next week, but the hope is that there will be agreement for next week. Thank you. You are excused. See you next week, Mr Nku. You are excused, too. Thank you very much.

MR NKU: Thank you very much, Commissioners.

MR EKSTEEN: Thank you, Chair.

20 **CHAIRPERSON**: Thank you. Is there anything left, or do we adjourn now for the hearing of Witness J's testimony?

ADV POOE: Chair, we can adjourn now for the hearing of Witness J's testimony.

CHAIRPERSON: Thank you. Thank you, Ms Pooe. Let me say for purposes of this public sitting that an open session

hearing will start at 09:30 tomorrow, as usual. Let us adjourn.

INQUIRY ADJOURNS

INQUIRY RESUMES

CHAIRPERSON: Witness J, will you be swearing or affirming?

WITNESS J: [Indistinct]... I will swear.

CHAIRPERSON: Do you swear that the evidence you are going to give is the truth, the whole truth, nothing but the
10 truth? If so, please raise your right hand and say so help me God.

WITNESS J: So help me God.

CHAIRPERSON: Thank you, Ms Poee?

ADV POOE: Witness J, we will start by confirming your statement. Do you confirm that this is the statement that you prepared for purposes of giving your testimony before the Commission?

WITNESS J: I do confirm.

ADV POOE: If you go then to page 41, can you confirm
20 that that is your signature?

WITNESS J: Yes, this is my signature.

ADV POOE: And do you confirm the truth of the contents of this statement?

WITNESS J: Yes, I do confirm.

ADV BALOYI SC: Can you confirm the date as well?

ADV POOE: Can you confirm the date on which the statement was prepared?

WITNESS J: Yes, I do confirm.

ADV POOE: The date is on page 40 at the bottom.

WITNESS J: Yes, I do confirm.

CHAIRPERSON: I guess it is worth mentioning it for purposes of the record ...[indistinct].

WITNESS J: The date, it is 2026, June 11. I confirm.

CHAIRPERSON: Thank you.

10 **ADV POOE:** Thank you, Witness J. We can then go through your statement. We will start at paragraph 3, so that you do not start with the sections of your statement that will identify you.

WITNESS J: Thank you.

20 "I was appointed by the South African Police Service as a student Constable [REDACTED] [REDACTED] [REDACTED] [REDACTED], and underwent my basic training in [REDACTED] [REDACTED] [REDACTED] Police College. I was then posted to perform crime prevention duties at [REDACTED] SAPS and later moved to [REDACTED] SAPS. During the year [REDACTED] as a [REDACTED] I was then transferred to [REDACTED] [REDACTED] [REDACTED] which is known as

course, message, and pictures in order to establish linkages between subjects and crime scenes. The purpose of my analysis is to assist the investigating officers with the investigation and provide evidence in court.

10 [5] I have received an in-service training on the analyst notebook when I became an analyst with the Priority Crime Management Centre, PCMC. By virtue of my duties, I do have access to various South African Police Service systems, as well as other analysis systems, which are utilized by the South African Police Service for analysis purposes. I hold a Bachelor of Arts in criminology, and ...[indistinct] from [REDACTED] [REDACTED].

20 [6] Since I have the following courses, information security of communication system, which I obtained from Ministry of Interior of Russian Federation, [REDACTED] [REDACTED] resolving of crime skills learning program obtained at Hammanskraal SAPS Detection Academy from [REDACTED]

██████████. FBI collaboration with the
SAPS kidnapping for ransom obtained at
Pretoria SAPS ...[indistinct] Academy
██████████ ██████████, Corruption and financial
crimes investigation obtained through
British High Commission Pretoria,
██████████ ██████████. On the Booyens
CAS ██████████.

[7] During the month of August...”
...[intervenes].

10

CHAIRPERSON: You have not mentioned the year

WITNESS J: Booyens CAS ██████████:

“[7] During the month of August 2021, I
was tasked by Lieutenant Colonel
Sebola, who was then a Captain, Captain
Sebola, where he requested that I do an
analysis on the data extracted from
handsets to determine if the suspects are
in any way linking to each other and to
the crime that they were charged to be as
per Booyens CAS ██████████. I was
informed by the investigating officer,
Lieutenant Colonel Sebola, that the case
relates to the discovery of suspected
drugs inside the container, which was

20

discovered at Scania premises in Aeroton.

[8] The cell phones data, which was downloaded by DFI Digital Forensic Investigations were for suspects that we arrested as the Booyens CAS [REDACTED], dealing in drugs. The download data was received as a per the following exhibit bags listed. Bag number 1, it contained the Samsung SMG 985 model; bag number 2...”
...[intervenes].

CHAIRPERSON: Perhaps let us just say those are reflected at pages 2 and 3 of your statement, and then proceed from paragraph 10.

WITNESS J:

“[10] During my analysis of the data received from DFI Digital Forensic Investigations on bag number [REDACTED] which contained a Samsung model SMG 985, IMEI number [REDACTED] serial number [REDACTED] ...[intervenes].

CHAIRPERSON: I do not know, maybe I misheard. I thought you said, [REDACTED] It is [REDACTED] Ja,

██████████ Please continue.

WITNESS J: Yes:

“IMEI number ██████████ serial
number ██████████ Vodacom SIM
cards, ICCD, it is
██████████/AGREEMENT,
and bag number ██████████ which
contains a Samsung Galaxy note 20 with
IMEI number ██████████ IMEI
10 number ██████████ serial number
██████████ FNB SIM Card
██████████ and 64 gigabyte SD
card. I then discovered that the cell
phone devices belong to Mr Tumelo Nku
and this was confirmed by the
information contained in the devices.
[11] While analysing the devices off
Tumelo Nku, I then discovered images,
messages from social media applications,
20 and contact numbers linking him to the
shipment of containers.
[12] Encrypted messaging applications.
I discovered the use of three encrypted
messaging applications, Threema,
WhatsApp, and Telegram. I give a brief

description of each below:

[12.1] Threema. During my analysis of the images that we saved on the Samsung SMG 985 image gallery, I discovered screenshot images, which had a metadata that indicated the screenshots were taken from Threema messaging application.

10 [12.2] Threema is a messaging application which with its servers in Switzerland, it uses end-to-end encryption, open source technology, and does not require an email or phone number to sign up. It protects your metadata data and permanently deletes your messages on the service instantly after being successful delivered and read by the recipient. The message in this messaging application does not use a
20 phone number, but there is a username ID.

[12.3] WhatsApp. Screenshot and messages from WhatsApp were also discovered on the device, and the metadata indicated that it was from

WhatsApp application. WhatsApp messaging application is an instant messaging application and voice-over-IP service and uses end-to-end encryption. This messaging application uses a phone number as a username.

10

[12.4] Telegram. Telegram messages were discovered on the device, and the findings were made from the messaging application. Telegram is a messaging application, which works such as WhatsApp, allowing users to send text, share files and make voice or video [calls]. It also allows a person to use a phone number or create a username.

20

[13] I discovered several screenshots which were taken from the Threema messaging application, in which some were used to compile my presentations, and others were included in my statement, which was submitted to the investigating officer for court purpose. The Threema screenshot is a communication between two participants who we were later identified through

analysis of another messaging application. The communication did not start on the Threema application but rather on WhatsApp messaging application, according to the comparison of the timestamps on both the messaging applications.

10 [14] A screenshot is an image captured on the current display on a phone, which will have a metadata that will indicate the date and time when it was taken. as well as the application it was taken from.

Paragraph 15, it is an example of a screenshot. Screenshot, it will have a wording that says screenshot, then followed by the date, which is 2021-05-05, followed by the time, which is 13:09:42. So 13, it will be 13:09:42 seconds, then followed by Threema. So 2021-05-05, it is the date when it was taken, 05 May 2021, and 13:09:42, it is the time it was taken. 13:09:42 followed by the application:

20 “[16] I then searched for keywords which relates to the shipment of containers in relation to the Booyens CAS [REDACTED] where these drugs were found inside the container transporting truck parts ...[indistinct]. The following are

keywords: containers, General Mashaba, Tumi, vessel, pier, staff, Customs ...[indistinct] trucks or truckers.

10 [17] The above images are saved as screenshots. 2021-05-05, 13:09:42, Threema, and the screenshot 2021-06-30, 15: 58:47, Threema. The messaging application uses an ID, not the cell phone number, and the username is shown on the above images. Please note that metadata on the screenshot, including when it was taken, will give a date and time when the picture was created. In screenshots..."

ADV POOE: So, we do not have to explain that again. We have explained it at a previous stage. You can then go to paragraph 20.

CHAIRPERSON: I will say just give a brief description of what we see there, those two screenshots or images.

20 **WITNESS J**: So, on page 6, we see two screenshots. The one on the left black in colour, it is screenshot that shows the application. It says, welcome to Threema. Then the wording that is in green, it is a user ID of that particular user of that Threema application. Then if you check on the right-hand side, same on page 6, that screenshot that has a

blue colour, it has a username that says John Wick. Under that username is says Threema ID next to the red dots there. It says, [REDACTED] That is a username of that particular person, who is using the username of John Wick. I mean, that is an ID of John Wick.

CHAIRPERSON: Okay. So ...[intervenes].

ADV BALOYI SC: And the ID on the left? The user ID on the black screen on the black ...[indistinct], we know who it is?

10 **WITNESS J:** Yes. On the black screen screenshot, I can confirm this is the username of Tumelo Nku.

CHAIRPERSON: Okay, thank you.

ADV POOE: Thank you, Witness J. If you can then read paragraph 19 which deals with when the screenshots were saved?

WITNESS J: Okay:

20 “[19] The first screenshot of the
 Threema application was saved on the
 device on 2021-05-05 at 13:09:42
 seconds, and the last screenshot was
 saved on 21-07-07 at 11:25:52 seconds.

 [20] The following...” ...[intervenes].

CHAIRPERSON: So, when you say last, that refers to maybe something that is still to come if it is to come.

WITNESS J: Here, Commissioner, I am still referring to

screenshots with regards to Threema, those screenshots.

CHAIRPERSON: Okay.

WITNESS J: The third screenshot, he saved it on this date of ...[intervenes].

CHAIRPERSON: Okay. And then they cover a period and end on the 7th of July ...[intervenes].

WITNESS J: Yes, that was the last one.

CHAIRPERSON: 2021.

WITNESS J: Yes.

10 **CHAIRPERSON:** All right.

WITNESS J: After the 7th there is no other screenshot that was saved on the device.

CHAIRPERSON: Okay.

WITNESS J: From the Threema application, Chairperson.

CHAIRPERSON: Okay.

WITNESS J:

20 “[20] The following as screenshots from
 Threema application leading to the
 activity of 2021-05-21. Where there is an
 indication that Tumelo Nku was in the
 vicinity of Durban in KwaZulu-Natal
 Province.”

On page 7 we do have two screenshots that appear there:

 “[21] The above screenshots is a
 communication between two users, with

one identified as Alpha since the username appears on top, and this is because the screenshots were captured by the owner of the device. The user Alpha, those messages will appear on the grey comment box mentions "When do we get this stuff" followed by the message "I need to plan with the people and the bosses are on my case". On the first
10 screenshot, saved as screenshot 2021-05-18, 18:04:08, Threema.jpg, the user Alpha mentions the following on the second screenshot saved as screenshot 2021-05-19. 22:27:36, Threema "Pull this off my brother. Will be the best thing ever." And the other user will be identified from another screenshot mentions, "Boss, this thing us going to kill us going to happen. I am telling you.
20 This is a do or die for me and everyone there."

CHAIRPERSON: Are you still on 22? Paragraph 22?

WITNESS J: Yes, Chairperson.

CHAIRPERSON: Just finish what you are doing on 22.

WITNESS J:

"And "I will speak to the guy in a bit. They were still sorting out the security issue, but it is coming. All right." The information from the said data records of Tumelo Nku places him in the vicinity of the event during the conversation, and it will be discussed later in the statement..." ...[intervenes].

CHAIRPERSON: Or just a reader of the transcript may not
10 quite follow everything that is said here. I know that there may be a bit of repetition now seeing that you are quoting both in paragraphs 21 and 22, you are quoting from those chats, but just for the benefit of a reader, can you just quickly go through the chats, chat after chat on both screens? Very quickly.

WITNESS J: Yes, Chairperson. The first screenshot that is on the left on page 7, that is it is on the left, it starts with the user Alpha. It says Alpha says:

"Boss, please keep me updated."

20 Again, Alpha:

"People are starting to call me."

The other unidentified user says:

"Will do, boss. I am pressing also."

Alpha says:

"Please. Let us get this done. The

earlier the better."

The other user:

"Boss, that the vessel was loaded way more than expected capacity. The sales packing will probably be done by midnight. It is less than 50 containers an hour that we are dealing with."

Alpha:

"When do we get stuff?"

10 Alpha:

"I need to plan with people and the bosses are on my case."

Alpha says:

"Just give me time plus minus."

The other user:

"Let me get an estimate from them."

Alpha:

"Please. Thanks."

Second screenshot on the right-hand side. Alpha:

20 "They ready?"

Alpha again:

"We got to be there at 10:30 or 11:00."

The other user:

"Ja, ja. I am just waiting for heads up."

Alpha:

"Cool."

Alpha again:

"Cool this off, my brother, will be the best thing ever."

The other user:

"Boss, this thing us going to happen, I am telling. This is a do or die for me and everyone there."

Alpha:

10 "Thank you, my brother. I placed all my trust in you."

Alpha:

"We cannot be late. The big guys are coming. We need to show we professionals. We still on time?"

The other user:

"I will speak to the guy in a bit, but they were still sorting out the security issue, but it is coming. All right."

20 **CHAIRPERSON**: Thank you.

ADV POOE: Witness J ...[intervenes].

CHAIRPERSON: Sorry, sorry.

ADV POOE: And what did you conclude the two individuals to be discussing?

WITNESS J: They were discussing about containers and

something that was contained inside that container. And they had people who were assisting this other user that we have not identified as yet, for him to get or retrieve whatever that was inside the containers.

ADV POOE: Yes, and then we see there, there is reference to things like stuff. Does that play any significance?

WITNESS J: Stuff, according to my experience in the law enforcement, stuff, they refer to drugs.

ADV POOE: Thank you, Witness J. We can then move on
10 to page 8.

WITNESS J: Page 8, we see there is two screenshots. I start with reading from those screenshots. The screenshot starts with Alpha saying:

"Is this going to take 10 minutes, one hour? I understand the situation, but I have got two groups waiting and some important people. I need to give them straight answers."

Alpha:

20 "Just give me straight answer."

Alpha:

"Please."

Alpha again:

"This is starting to sound and look weird."

Alpha:

"They give us the time and we arrange everything. The other truckers are already kicking their containers."

The second screenshot on the right-hand side starts with Alpha saying this:

"Please get it out, mate."

The other user says:

10 "Boss, I know the guys are delaying, but it is not that they are failing. Inside everything it is well sorted out. Just a small hurdle of final gate release, which they are working on."

Alpha:

"Please push this now. We have to go out now."

Alpha:

"It is 12:30 now."

The other user says:

20 "I am pushing, but we can risk raising eyebrows if the guys are not well-tuned with the current security supervisor at the gate. We cannot have those containers risked to be open for inspection."

The other user again:

"They are working on the guy ASAP."

Alpha:

"Mate, I really do not understand this. Why are there security issues? They take in the containers for inspection. They are Customs. This is starting not to make sense to me."

Alpha:

"I am so stressed."

10 So below each screenshot, there is a metadata for that screenshot when it was taken. So the first screenshot that is on the left-hand side. It was taken on the 20th of May 2021. The time was 00:27:03. Soon after midnight. 12 midnight. So the other one was taken on the 20th of May 2021. The time was 00:38:01:

20 [23] On the above ...[indistinct] dated 2021-05-20, Alpha mentions the following on the first screenshot, "They give us the time and we arrange everything. The other truckers are already kicking their containers." Truckers and containers are mentioned on the first screenshot. The other user mentions the following on the second screenshot, "I am pushing, but we cannot risk raising eyebrows if the guys

are not well-tuned with the current security supervisor at the gate. We cannot have those containers risked to be opened for inspection." There is a mention of Customs. When Alpha on the same screenshot mentions, "Mate. I really do not understand this. Why are there security issues? They take in the containers for inspection. They are Customs. This is starting not to make sense to me." The message suggests that the user had people who were assisting him with the release of the container and did not want the container to be subjected for inspection, which suggests that they contain something illegal."

Page 9, it has two screenshots. The first screenshot on the left start with the other user:

"There is no in and out movement at port during that time. I have been on their case to work now, boss. Zulus are stubborn. They are telling me I am panicking unnecessary. They will get the stuff out. It is just a matter of time."

Alpha:

"Was this guy with warehouse? His staff starts at seven. We are not going to make it. Like, I will only get a flight by 11 or 12. My kids is going to be very disappointed. Not fair."

Alpha:

"This all should of been planned".

Alpha:

10 "600 hours, a news story is going to come out."

The second screenshot start with Alpha:

"Same place."

And the other user says:

20 "Boss, I just spoke to the guy and he says by all means today is D-day. The client's transporter is booked for tomorrow. They will allow some containers to go out first. Their shift ends at 10 p.m. We have from now till then to perform. We acknowledge the type of heat that is coming if this is not done today."

The other user again:

"The security problem is sorted as we

said."

Alpha:

"I understand that, but I just want to give my people a firm time that we all can go rest."

Alpha:

"We cannot wait till 10 p.m. We need to do it now."

The other user says:

10 "I said the very same thing. I want to say the same thing. And they responded. The stolen containers cannot be amongst the first to go out."

Alpha:

"Boss, I do not understand about all this. Please just give me time. Our people will get it. We just asking for a straight answer."

Alpha:

20 "They should be able to confirm."

So both screenshots we are taking on the 20th.

ADV BALOYI SC: Can I just ask? The time stamps here, is it real time or do we need to adjust or is it South African time?

WITNESS J: This it is the real time. It is the time that it

was taken.

ADV BALOYI SC: So we do not need to adjust?

WITNESS J: No, we do not need to adjust. May I please explain the reason of adjusting? We have communications where you will see at the end of the time it has bracket, it has UTC. That is it is a global time zone, so whereby when you check that global time, South Africa is ahead with two hours. So if it says to us UTC plus zero, we need to add two.

10 **CHAIRPERSON:** Yes.

WITNESS J: But if it says SAST, so it is South African standard time, then it is correct. That that you see is the correct time. Or if it gives us plus two, it means it is correct. It now added those two hours.

ADV BALOYI SC: Okay.

WITNESS J: So this does not say anything about the UTC. So this is the correct time, Commissioner.

ADV BALOYI SC: Thank you.

WITNESS J:

20 “[24] The above screenshots are both dated 2021-05-20 (stuff). It is mentioned when the unidentified user on the first screenshot mentions, "There is no in an out movement at court during that time. I have been on their case to work now,

boss. Zulus are stubborn. They are telling me I am panicking unnecessary. They will get the stuff out. It is just a matter of time." On the second screenshot, the unidentified user mentions, "Boss I just spoke to the guy and he says by all means today is D-day. The client's transporter is booked for tomorrow. They will allow some containers to go out first. Their shift ends at 10 p.m. They acknowledged the type of heat that is coming if this is not done today."

10

[25] This user makes mention of heat that is coming, which suggests that there was pressure to obtain what was in the container. And again, the conversations, it is clear that the user had people who are sitting at the Port of Durban who were assisting to get the container and these contents released. The container was due to be picked up on the 2021-05-21, as per the message of the unidentified user mentioning transporter is booked for tomorrow."

20

On page 10 we also have two screenshots. I will start with the one on the left. The other unidentified user says ...[intervenes].

CHAIRPERSON: Just ...[indistinct].

ADV BALOYI SC: [Indistinct].

CHAIRPERSON: Yes, supposed to ...[indistinct] find the ...[indistinct].

WITNESS J: Yes.

CHAIRPERSON: Okay.

10 **CHAIRPERSON**: Anybody else who still has ...[indistinct]?

ADV BALOYI SC: [Indistinct].

ADV POOE: You must be protected from Commissioner Khumalo ...[indistinct].

CHAIRPERSON: All right. Please continue, Witness J. You were to start with the screenshot on the left on the top of page 11.

WITNESS J: Yes, Chairperson. [Indistinct – cross talking].

CHAIRPERSON: Sorry, sorry. I am sorry, top of page 10, I am sorry.

20 **WITNESS J**: Yes, Chairperson, on page 10 we start with an unidentified user. It says:

“Give me a moment to check.”

And this was in reply of Alpha. If you check that communication, it says Alpha, it says:

"My guy says the truck should be there

now."

So this communication by the other user that says give me a moment to check, it was a reply to that message by Alpha.

CHAIRPERSON: Yes.

WITNESS J: So, it continues. The other unidentified user says:

10 "Boss, the driver details still have not
been loaded yet. The guys are
monitoring the app and the forklift guy is
our guy."

Alpha:

"Can you get the kicks of the container
and seal?"

Alpha:

"The longer you take with it, the more
nervous they get."

The second screenshot on the right-hand side, Alpha:

"So it is not going to happen today?"

Alpha ...[intervenes].

20 **ADV POOE:** Before we proceed, Witness J, can you start
with the one they are responding to?

WITNESS J: This message that says, so it is not going to
happen today, was in reply of another message. If you
check on top, there is a message that says:

"Boss, the driver details still have not

been loaded yet. The guys are monitoring the app and the forklift guy is our guy."

Let us go back to the screenshot on the left-hand side.

CHAIRPERSON: Yes.

WITNESS J: That was sent by the person that we did not identify before. So now we have identified to see who was that person. So now we have identified that person as Philipp Plein now. So now we can confirm to say this
10 conversation is between Alpha and Philipp Plein.

ADV KHUMALO SC: is there another possibility that the conversation was forwarded to Philipp Plein or a screenshot of a conversation with Philipp Plein was forwarded to the other user? How do you arrive at the conclusion that the other user – so let us go to the screen, the chat on the left, the one that says, boss the driver details. Why do you conclude that that is Philipp Plein and not that something Philipp Plein said was forwarded to this person? Do you follow what I am saying?

20 **WITNESS J:** No, I follow, Chairperson.

ADV KHUMALO SC: Okay. So on the right, the first chat, you have identified that person as Philipp Plein.

WITNESS J: That is correct.

ADV KHUMALO SC: My question is, looking at that, how do you conclude that the other person who has been

communicating with Alpha is Philipp Plein? How do you arrive at that conclusion? Because it is possible that Philipp Plein forwarded that to the other user. And the other user is then communicating with Alpha the same message. Do you get what I mean?

WITNESS J: I do get, Commissioner. Except for the time, let us go through the metadata on the screenshots in the ...[indistinct]. Let us check the date first. It says 2021-05-21. The time is 18:14:09. Then let us go to the second
10 screenshot. It is the same date.

ADV KHUMALO SC: Ja.

WITNESS J: 2021-05-21. The time is 18:21:14 seconds. So it is same date, just minutes apart. And whatever that is said here, it was said by Philipp Plein because if you compare this in the communication, it shows that it was Philipp Plein. Other than this, I will not confirm to say it was another person who was ...[indistinct] but I can confirm to say this Philipp Plein.

ADV KHUMALO SC: Because it does not explain why he is
20 suddenly identified within a minute of all these communications, but throughout, nowhere again do you see the name Philipp Plein. So it looks like it is either a screenshot that is forwarded or somebody forwarded a message by Philipp Plein to this other user, who then communicated with Alpha. Can we exclude that possibility?

WITNESS J: Commissioner, I disagree because if we look back to the first screenshots, do we agree that on the first communication, this other unidentified user, we have not identified him as Philipp Plein yet.

ADV KHUMALO SC: Yes.

WITNESS J: You see, he says give me a moment to check, he was replying to the person that appears on top, which is Alpha. Even this side Alpha is replying to the person that was communicating with here. So it appears to say that
10 person was Philipp Plein.

ADV KHUMALO SC: Okay.

ADV BALOYI SC:: Can I maybe not try and offer another possible indication here, is where – Chair, you had the right way for it. Where you are replying to a text, to the body of a text ...[intervenes].

CHAIRPERSON: I like the technology, but I was descriptive.

ADV BALOYI SC: Okay.

CHAIRPERSON: For example, if you look at where it says,
20 the very first message on the right, there is Philipp Plein at the top, and then there is:

“Boss, the driver details still have not
been loaded yet...”

And so on and so on. That is identical to what is on the left, the screenshot on the left. So what is on the right-

hand side is an indication that Alpha is responding to the identical message on the left. So ja, what you do is just to press on that message and then there is usually an arrow that points to the side to show that as you press and there is that arrow, then you are basically showing that you are responding to that message.

And with WhatsApp now you can just slide the message to the right, you just slide it like that and that automatically shows that you are responding to that
10 message as well. And so that message will be reflected and the text is exactly the same as the text to which you are responding to.

Now above this one, where it shows that Alpha is responding to the message on the left, above that message we see for the first time Philipp Plein. It is that that seems to indicate, I am saying seems to indicate because Commissioner Khumalo is raising an issue. But because there is Philipp Plein, it shows that or seems to show that a message on the left that is identical was written by Philipp
20 Plein, even though we do not see Philipp Plein on that message.

WITNESS J: Chairperson?

CHAIRPERSON: Ja.

WITNESS J: May I also add ...[intervenes].

CHAIRPERSON: Ja, but is there not a language or

technology for technological language as opposed to the descriptive language that I have used ...[intervenes].

ADV KHUMALO SC: I do not want to complicate your life. I think all I wanted to exclude was the possibility that Philipp Plein is that third person. So if you saying Philipp Plein is the same person that Alpha was communicating with throughout, then I am satisfied. So I do not know what I get into the too technical aspects of your work.

WITNESS J: Another point that I wanted to make,
10 Commissioner ...[intervenes].

CHAIRPERSON: And I was also not dismissing what you are, which is why I am using seems, seems. Yes, yes, yes.

WITNESS J: Can we check the first screenshot on the left-hand side below, nervous, there is time left that says 18:09.

ADV BALOYI SC: Yes.

WITNESS J: That 18:09. Let us go to the second screenshot. If you go about this message. There is 18:09 there, check on this message now, so it is not going to happen. It is 18:09. So it indicates the continuation of the
20 communication. So these were the two people that are communicating.

ADV BALOYI SC: Okay.

WITNESS J: Philipp Plein now, because already I have identified to say the other person is Philipp Plein, says:

“Other companies are collecting as the

down stack reduced and boxes move
down, we will get the kicks."

Philipp Plein is answering now the point by Alpha that says:

"So it is not going to happen today?"

So it was Alpha who was saying:

"So it is not going to happen today?"

His response, Philipp Plein says:

10 "Big companies do not usually want to
incur unnecessary cost. It will probably
be a bit later. Do Barlow not run a 24-
hours logistics services desk? They
should be able to upload the driver
details at any moment."

Alpha:

"It is very important to get the pics ASAP.
Other things are running through their
heads. I think your Customs guys need
to take this seriously, everything is a
excuse."

20 Alpha:

"I need that pics of container and seals
so I can also take pressure off me."

Philipp Plein:

"On it, boss".

Page 6:

“The above screenshots were saved on 2021-05-21, and the following is mentioned by an unidentified user on the first screenshot, “Boss the driver details still have not been loaded yet. The guys are monitoring the app and the forklift guy is our guy.” This is another indication that there are employees at the port who are assisting the user to get the container. There is a mention of the container and seal by Alpha on the same screenshot. The seal, it is a locking device used to secure the container doors during transit and storage. They request a picture of the container and seal, so to confirm if the container that has stuff is still there and not tampered with. On the second screenshot is also dated 2021-05-21. I then identified who the other user is on their reply by Alpha mentioning, “So it is not going to happen today?” This was a reply to a message by the user indicated as Philipp Plein. Alpha was under pressure, as indicated on the second screenshot, where he

mentions, "It is very important to get the pics ASAP. Other things are running through their heads. I think your Custom guys need to take this serious. Everything is a excuse", followed by the message, "I need that pics of the container and seal so I can also take pressure off me."

Page 11, the first screenshot on the left, Philipp Plein:

10 "On it, Boss."

Alpha:

"When collecting a container, do you need to upload the driver? Do you need to upload driver's details?"

Alpha:

"No, Alpha, only the company".

Alpha:

"The transporter must register all his trucks."

20 Alpha:

"This is how it works. Somebody is bullshitting you again."

Alpha:

"Boss, I am getting really nervous now. How come your guys do not know this?"

Alpha:

"Please just go to container and open and take the stuff."

Alpha:

"I am telling you we are going to have big, big, big shit if we do not give this stuff today. We made a lot of promises and not delivered."

So the last message, it was a reply that appears on the
10 second screenshot. The message was that:

"When collecting a container..."

It was from Alpha:

"When collecting a container, do you need to upload the driver's details?"

Then the second screenshot says, even here it is a reply, but we cannot see clearly, but the last words were:

"Anything anymore."

So I take to say it is where Alpha was saying:

"You cannot trust anything anymore."

20 Philipp Plein says:

"Just give me a moment, boss, we will get them."

Alpha:

"Please, I am begging you, I need you to open container and take things out

urgently."

Alpha:

"I just do not believe this Custom guys anymore."

Alpha:

"If those containers are gone, me and you are in big shit."

Philipp Plein:

"Those containers are still there, boss."

10 So both screenshots were taken on the same day, on the 21st of 05 2021. The first screenshot was taken at 18:25:40. The second screenshot is 2021-05-21, 18:31:59:

20 "[27] The above screenshots were both saved on the 21-05-2021. There is a mention of container, drugs and stuff. Alpha, on one of the messages, he is saying, "Boss, I am getting really nervous now. How come your guys do not know this? Please just go to container and open and take the stuff. I am telling you we are going to have big shit, we do not give this stuff today. We have made a lot of promises and not delivered." The messages are indication that Tumelo Nku, now we know that is Philipp Plein

from the conversations, was in the vicinity of the Port in Durban as he is instructed to open the container and take the stuff. On the..." ...[intervenes].

CHAIRPERSON: Sorry, sorry, sorry. How do we know that Philipp Plein is Tumelo Nku? I missed that part.

WITNESS J: How do we know that Philipp Plein is Tumelo Nku?

CHAIRPERSON: Yes.

10 **WITNESS J**: Chairperson, it will be explained and ...[intervenes].

CHAIRPERSON: It is still coming?

WITNESS J: Yes, it is still coming.

CHAIRPERSON: All right.

WITNESS J: I was saying this because I already identified to say.

CHAIRPERSON: I am asking because at the beginning, you kept saying the other person, the other person. Okay, thank you.

20 **WITNESS J**:

"On the second screenshot, Philipp Plein (Tumelo Nku) mentions, "Just please give me a moment, boss, we will get them." Alpha mentions, "Please, I am begging you, I need you to open container and

take things out urgently. If those containers are gone, me and you are in big shit," there was pressure coming from Alpha pushing Philipp Plein to go open the container and get the stuff urgently. I am of the suspicions that the contents were successfully retrieved on 2021-05-01.

10 [28] There were never any screenshot saved on 2021-05-22 and 2021-05-23. That is why I am saying I am of the suspicion to say those contents were retrieved on the 21st. There was never any pressure to come to Philipp Plein after that. And the movement of Tumelo Nku through these devices indicated that he was back in Gauteng from the 2021-05-23."

20 I have requested that if time permits, we can flag the movement to confirm what I am talking about here to say he was in Durban, he was in Gauteng.

ADV BALOYI SC: So before we do this, if you are able to answer the question, from your experience, do a person like Nku, I mean we see in these exchanges Alpha saying go to the container and just take. How does it happen that a

private person like Nku, and does it happen in fact, can go to a container, open, take out, and then, without being detected, is that part of your experience, that private individuals can do that, have that kind of answers?

WITNESS J: I will say in this case of Tumelo Nku, Commissioner, Tumelo was once an employee of Transnet. He might have connections, maybe to go inside the ports and get assistance to open the container and take those stuff.

10 **ADV BALOYI SC:** I see.

WITNESS J: Yes, because he was once an employee of Transnet. He might have that close relationships with other employees who are still at Transnet.

ADV BALOYI SC: All right. Okay, thank you.

WITNESS J: 29 ...[intervenes].

ADV BALOYI SC: You wanted to flag something.

CHAIRPERSON: Ja, ja, ja.

WITNESS J: This is information that we get from the service provider, Vodacom. So if we request the cell data
20 record, we normally request the data report using a cell phone number. So that would be the cell phone number, the one that says MSISDA, that is a cell phone number of Tumelo. So above the IMEI numbers, so it shows that that phone was – a cell phone number, sorry, was used was used on those phones.

So sometimes if you see two IMEI numbers, it could be one device, but has dual sim cards. So if it does not have a dual sim card, it will only give us one IMEI number. So this is the information that we get. Then we confirm this with what the analyst from DFI has indicated to us to say this phone has this IMEI number, and then you can confirm to say this is the same phone.

ADV BALOYI SC: Okay.

ADV KHUMALO SC: The second SIM, could it be an e-
10 SIM, not necessarily a card?

WITNESS J: Which sim card, Commissioner?

ADV KHUMALO SC: Because you said when you see the MSI multiple, it could mean they are using two SIM cards.

WITNESS J: Yes, it could be that.

ADV KHUMALO SC: Yes, It could be ...[intervenes].

WITNESS J: [Indistinct]... referring to the IMEI numbers ...[intervenes].

ADV KHUMALO SC: IMEI, ja.

WITNESS J: If you see there is two different IMEI
20 numbers, it is one device, but two sim cards.

ADV KHUMALO SC: Two?

WITNESS J: Yes.

ADV KHUMALO SC: Ja.

WITNESS J: [REDACTED] [REDACTED]
[REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

...[intervenes].

CHAIRPERSON: Let us hope the recording will not be affected.

WITNESS J: Oh, from my voice?

CHAIRPERSON: I am too scared now.

WITNESS J: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

CHAIRPERSON: Okay.

WITNESS J: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

20 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

CHAIRPERSON: Yes.

WITNESS J: You can go to 29:

“Philipp Plein is the username that was used by Tumelo Nku, as the screenshots were from his device. The cell phone number [REDACTED] [REDACTED] [REDACTED] was used by a Tumelo Nku on one of the devices downloaded, a Samsung SMG 985, and analysis of both his cell phone numbers is placing both numbers in the same vicinity at the same time.”

20

We were dealing with the [REDACTED] Even if we were to open the [REDACTED] it would give us the same location:

“The number was searched on the Truecaller application, and it shows that

it was saved as Philipp Plein. Also during the analysis on the gallery of Tumelo Nku, I discovered images of him wearing a clothing brand Philipp Plein.”

So it is a clothing brand I think he likes it too much.

ADV KHUMALO SC: So when we see that PP in his t-shirt, it is that short for a Philipp Plein. Let us educate Chair.

ADV BALOYI SC:: So we confirm that it is him in this
10 picture?

WITNESS J: This is the Tumelo Nku on the picture.

ADV BALOYI SC: Okay.

WITNESS J: This is Tumelo Nku on the picture. Even on my presentation, those two pictures is the same person as Tumelo Nku on the presentation.

ADV POOE: We can see where this picture comes from, the second picture.

WITNESS J: It comes from his gallery. It comes from his gallery. The one on the left, I took just a screenshot to
20 indicate to say why the conversation went Truecaller. It shows that the number, somebody saved that it is Philipp Plein.

ADV POOE: And then just before we go to the ...[intervenes].

ADV BALOYI SC:: Raise your voice just in case.

ADV POOE: Just before we go to this, when you were explaining how Mr Nku had access to the ...[indistinct] you mentioned that he was once an employee of Transnet. This is not before you at the moment. It is in his statement. He gave us a CV. It does not say anything about Transnet. How did you discover that he was once an employee of Transnet?

WITNESS J: I got it from the investigating officer.

ADV POOE: We can proceed with paragraph 30.

10 **WITNESS J:**

“The cell phone data records of Tumelo Nku were analysed together with the screenshot from the Threema application that was saved, and it confirms my suspicions with regard to the successful retrieval of the container. On the screenshot, Alpha mentions that "I will have your balance ready around four or five."

20 Again, Alpha:

“We want to pick up.”

And Philipp Plein mentioned the following:

“I can pick up, boss.”

Followed by the message:

“But let us make it even morning. I will

be affected by traffic, as I still need to fetch my wife."

Analysis of the cell phone data records indicate that Tumelo Nku was in the vicinity of Bedford area on the 2021-05-25 around 8 a.m., which is the following day after the conversation on the below screenshots. This below screenshot was taken on the 24th."

10 So the following day was, Tumelo was in the vicinity of Bedfords. Because if you check Alpha says:

"I have your balance ready."

Tumelo somewhere says again I can fetch it, let us rather make it tomorrow morning. So, to me, it is suggested that tomorrow morning will be the 25th, so I had to check his movement on the 25th. Then I discovered to say on the 25th, he was in Bedford.

On Alpha, after identifying Alpha to see who Alpha is, he had an address on his profile of Bedford. Reading
20 the WhatsApp chat, he made an appointment with Tumelo about another restaurant Andiccio, ...[indistinct] it is correct, Andiccio. There is an Andiccio restaurant in Bedford.

ADV POOE: So, was your suspicion that they met in Bedford, the two?

WITNESS J: It was confirmed. Not only my suspicion. Ja, not on my suspicion because his location is placing him in Bedford. We know that he does not stay in Bedford, yes.

ADV POOE: And then in terms of the screenshot itself, it speaks about your balance being ready. It may be obvious, but what are you speaking about?"

WITNESS J: He is talking about money that was due to Tumelo, for what he did.

ADV POOE: Thank you.

10 **WITNESS J:** And ...[indistinct].

ADV POOE: Thank you.

WITNESS J: On page 14, it is where I was plotting the location of Tumelo. If we check on the keys on the left, it is on the 25th. So those locations in pink are Tumelo's cell phones, within the vicinity of Bedford.

CHAIRPERSON: Bedfordview?

WITNESS J: Yes, Bedfordview, which we now know that Alpha was residing in Bedfordview.

WITNESS J:

20 "[31] On the same date 2021-05-24 there was another screenshot saved on the device of Tumelo Nku, which had an image that was taken from the computer screen and was sent through Philipp Plein/Tumelo Nku. This screenshot

makes mention of Pier 1 and
...[indistinct] West Africa.”

WITNESS J: Page 15. So the first screenshot, if we check on top, it shows that it is an image that was taken from the computer screen. So it had details where Alpha says:

“Pier 1, Vessel Coast West Africa.”

Alpha again:

“Please get back to me straight.”

So Pier 1 and Vessel Coast Africa is contained on that
10 screenshot. It is a pity we cannot zoom it enough everyone to see, but it is contained from that.

CHAIRPERSON: Sorry, before you continue, how do you know that Alpha leaves ...[indistinct]?

WITNESS J: From the provider to me, it is ...[indistinct]. Let me just explain it. With Tumelo Nku, I had an ID number of him because he was arrested. Obviously, he furnished his ID number. But with Alpha, as we are going to get, I found a WhatsApp chat between Tumelo Nku, saved with his cell phone number because WhatsApp uses the cell
20 phone number and the name.

So it is TN, TN stands for Tumelo Nku, according to my observation, it is Tumelo Nku, then with this other person. So from their conversation, I could see the way he greets this person is the same as what appears on those Threema screenshots, salams boss.

Then I took that cell phone number, there is a cell phone number, then I went to the SAPS system to profile that number. So that number, it shows that Alpha had a firearm, he used that number. So after generating that profile, he did not only use that number while obtaining his firearm licence, but even at Home Affairs, he used that number.

So it is confirmed to say it is his number. Then the names it says, [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
10 lby is from that name, [REDACTED] So that is how I confirm to say this is the same person. Then again, checking, reading his profile, his address is in Bedfordview. Andiccio is in Bedford.

So Tumelo went to Bedford, though he does not mention to come to Bedford, but Tumelo went to Bedford to collect the balance. So to me, it makes sense to say this person is the same person that Tumelo was meeting in Bedford.

ADV KHUMALO SC: Please give the full name again.

20 Sorry, sorry, sorry. [REDACTED]

WITNESS J: [REDACTED].

ADV KHUMALO SC: [REDACTED].

CHAIRPERSON: I thought you were going to say overnight that your location would be at Bedfordview most nights or something like that.

ADV KHUMALO SC: And then how did you arrive at the conclusion that this [REDACTED] is lby? Because you then said so much about lby.

WITNESS J: lby is taken from [REDACTED] There is a name [REDACTED]

ADV KHUMALO SC: Yes.

WITNESS J: So I took it to say this lby is from this short for from [REDACTED]

ADV KHUMALO SC: Okay.

10 **WITNESS J:** Yes.

ADV POOE: Just for the record, you mentioned that you were picking up his number. Can you go to WJY? It is to confirm ...[intervenes].

ADV BALOYI SC: [Indistinct].

ADV POOE: Wait. Sorry. It is the same file. Remember, we changed how we refer to ...[indistinct] the annexures.

CHAIRPERSON: Let us not mention, let us not mention what is on there, please.

ADV BALOYI SC: You mean JJ1? That says JJ1.

20 **ADV POOE:** Sorry ...[intervenes].

CHAIRPERSON: [Indistinct]... let us deal with WJ.

ADV BALOYI SC: See, I called it JJ.

CHAIRPERSON: [Indistinct]... WJ.

ADV POOE: Is it still there? We did not see the participants. Perhaps to start by, what is WJ1?

WITNESS J: Let me see WJ1.

CHAIRPERSON: Do not ...[indistinct].

ADV POOE: Yes, what is that document?

WITNESS J: Okay. This is an extraction.

ADV KHUMALO SC: What happened? I hope it is not a power failure.

CHAIRPERSON: Let us stop and make sure that the recording has not been affected. So please, ja. Where are our technical people?

10 **ADV BALOYI SC:** Ja, the lights are is still on.

CHAIRPERSON: [Indistinct]... So then not to waste time, maybe let us just take the adjournment whilst this is being fixed, and we come and ...[indistinct]. Let us adjourn.

INQUIRY ADJOURNS

INQUIRY RESUMES

CHAIRPERSON: Let us start for real now. Witness J, you were in the process of taking us through that screenshot or something, top left.

ADV POOE: Chair, we were dealing with WJ1.

20 **CHAIRPERSON:** Okay.

ADV POOE: Witness J had explained that they went to the WhatsApps to go and profile Iby Boss.

CHAIRPERSON: Okay.

ADV POOE: And I just wanted him to just confirm that that is the number that they used to profile.

CHAIRPERSON: It is at WJ1.

ADV POOE: It is page 1 of the annexures.

CHAIRPERSON: There is a lot on there. Where exactly is the number?

WITNESS J: Participants.

CHAIRPERSON: Okay. Okay.

ADV POOE: So, Witness J, is that the number that you profiled?

WITNESS J: That is correct. There it starts with 27. So,
10 27 stands for zero. So, it is [REDACTED] [REDACTED] [REDACTED]. So, that number, it belongs to [REDACTED] How did I get to know that it belongs to [REDACTED]? I took the number and used the SAPS system to generate a profile.

Let us just see the profile of [REDACTED] This is the profile of [REDACTED] So, this is the latest one. If you check the date, it says 2026-05-21. I do have two profiles. There is another one, old one. Then you see where it says, then line and mobile number. So, we can generate a profile using a mobile number, firearm or vehicle registration
20 number, per side, you see on there? Passport number. We can use those to generate a profile.

Then let us go down. You see where it says firearm system? So, it is a SAPS system. So, that number was used on a SAPS system. So, that is why we have his picture on firearm system. The official image from

population register, this is information from Home Affairs. So, let us go down. Go down. Just move down. Down, down. It is ...[indistinct].

CHAIRPERSON: Okay.

WITNESS J: Let us go back. Go down again. Go down. We see this number. There it is. [REDACTED]. On the side, it says population register. So, meaning this number was used on the Home Affairs system. On the far right, it says firearm system. So, it was used on our system, the
10 SAPS system. So, he used this number while filling out the forms or applying for something. So, this confirms to say it is his number.

CHAIRPERSON: Okay.

ADV POOE: Thank you, Witness J. We can then go back into your statement. And you were describing the contents of the screenshot.

CHAIRPERSON: It is so blurry.

WITNESS J: Yes, it is.

ADV POOE: It is.

20 **WITNESS J**: So, thanks, Commissioner. So, on the screenshot there is where it says Coast West Africa. So, Alpha says:

“Pier 1, Vessel Coast West Africa.”

So, he was giving this information to Philipp Plein. So, Alpha says:

“Please get back to me straight away.”

Philipp Plein says:

“Boss, can they not get Pier 2? We are going to have to pull another mission impossible.”

Alpha says:

“Look here, the vessel is already set. Let us do last one, Pier 1. We do a mission impossible. I want good pressure. At
10 least we now know the system now.”

On the second screenshot, I will just focus on the last conversation because ...[indistinct] be the one where he was saying, Tumelo, he has the balance ready. So, he says, under ...[indistinct] message:

“Can you get me the list of vessels not going to Pier 1 urgently? We have four containers ready.”

So, the above screenshot, Alpha mentions Pier 1, vessel Coast West Africa and please get back to me straight away.

20 Philipp Plein replies by saying:

“Boss, can they not get Pier 2? We are going to have to pull another mission impossible.”

This suggests that the previous retrieval of the container was not simple since Philipp Plein is mentioning that they

will have to pull another mission impossible. The message from Alpha says:

“Look here, the vessel is already set. Let us do last one, Pier 1. We do a mission impossible. I want good pressure. At least we now know the system now.”

And again, on the second screenshot, Alpha mentions the following:

10 “Can you get me the list of vessels not going to Pier 1 urgently? We have four containers ready.”

This message indicates that Alpha has communication with syndicates, which are responsible of placing stuff inside the containers. And Tumelo Nku is the one to facilitate the release of those containers in order to retrieve the stuff ...[intervenes].

CHAIRPERSON: Just a minute. That screenshot, top left on this page, page 15, where does that come from? The one reflecting the name of the vessel?

20 **WITNESS J**: Okay. This one comes from Alpha. As to say where originally does it come from, I will not know.

CHAIRPERSON: That is exactly ...[intervenes].

WITNESS J: Ja, I would not know.

CHAIRPERSON: That is exactly the latter I would ...[indistinct].

WITNESS J: Yes, because we are dealing with the device of Tumelo Nku.

CHAIRPERSON: So you cannot tell.

WITNESS J: I cannot tell, Commissioner.

CHAIRPERSON: All right.

ADV BALOYI SC: It was put to ...[indistinct] Sebola or Mashaba that this comes from Transnet.

WITNESS J: Sebola.

ADV BALOYI SC: Sebola. Do you know ...[intervenes].

10 **WITNESS J:** Commissioner, there is one that comes from Transnet. This one we cannot say with certainty to say it comes from Transnet.

ADV BALOYI SC: Okay.

WITNESS J: There is one that comes from Transnet.

ADV BALOYI SC: So it is not this one?

WITNESS J: No, it is not this one. Page 16. This screenshot was saved 2021-07-01 at 19:24:18. It was from Threema. I believe this is the last screenshot from Threema. So it was saved on the 1st of July:

20 "I only got to know now..."

This is Alpha saying:

"I only got to know now."

Philipp Plein says:

"But what is that container carrying?"

Philipp Plein:

“No idea.”

No, sorry, Alpha:

“No idea.”

Alpha again:

“Behind door.”

Philipp Plein says:

“Boss, these people are really making our job impossible by the day.”

So Philipp Plein replying to the message by Alpha where he
10 said behind door:

“Please ask them because if they loaded it on a car or anything that can be mobile from the container, it will be a bust. Boss, please.”

Philipp Plein:

“Boss, please tell the people that avoid any containers with metal or anything automobile. Only load goods or sugar. Anything that goes to Pier 1 or 2 is
20 workable. Remember there was a bust a week ago. Now we need to go offloading from trucks again.”

The above screenshot was saved on 2021-07-01 and it was the last conversation on Threema between Alpha, [REDACTED] [REDACTED] and Philipp Plein, Tumelo Nku. As

the other screenshot is a blank image, that is the screenshot that was saved on the 7th. It is just a blank image. Philipp Plein, Tumelo Nku is asking Alpha with a message:

“But what is that container carrying?”

When Alpha replied by saying:

“No idea, he gave behind door.”

During the conversation, Philipp Plein, Tumelo Nku, is saying:

10 “Please ask them because if they loaded
it on a car or anything that can be mobile
from the container, it will be a bust.”

He says again, Philipp Plein:

 “Boss, please tell the people that avoid
any containers with metal or anything
automobile. Only load goods or sugar.
Anything that goes to Pier 1 or 2 is
workable. Remember there was a bust a
week ago. Now we need to go offloading
20 from trucks again.”

The conversation indicates that there was another container destined for the port of Durban and Tumelo Nku was warning Alpha to avoid containers which would be carrying anything with metal or automobile, but rather use containers with goods or sugar for it to be successful. Tumelo Nku

mentions that there was a bust a week ago, and this was in reference to the Isipingo drug bust which occurred on 2021-06-22.

How did they come to say it is this drug bust? That screenshot was saved on the 1st of July. So if you count, it is a week ago, this drug bust was done a week ago. That is why I am saying it is Isipingo. There was never another drug bust during that week:

“[34] The use lby...” ...[intervenes].

10 **ADV BALOYI SC:** Sorry, before you go to 34. At that page 16, what does it mean that it is your screenshot here starts I only got to know now? So obviously there was preceding conversations about this. And when I say what does it mean, I am asking from your perspective. Does it mean you found nothing on the devices that precedes this conversation because you did not ask or just was not there?

WITNESS J: That is correct, Commissioner. That is correct. From reading this screenshot, you can tell that there was a conversation before the screenshot was taken,
20 but it is not there.

ADV BALOYI SC: And you do not see it on the ...[intervenes].

WITNESS J: No, it is not there on the device. It is not there.

ADV BALOYI SC: All right.

WITNESS J: From the one of the 24th, then it is followed by this one of July. There was never any screenshot around June with the relation to, or nor from Threema. So this is the last one.

ADV BALOYI SC: If this question that I am asking is raised to challenge the reliability, I mean, some of the things we have heard is people would say that there has been a selective choice of extraction of this information. I think this speaks for itself. So it is not very ...[indistinct].

10 You can see what they are discussing. So there are instances where a person would say, but what is the context? If you had the full context, you would understand this differently. But something like this, how do you deal with that kind of criticism?

WITNESS J: Commissioner, I would say he chose to save whatever that he wanted to save at that time.

ADV BALOYI SC: Ja.

WITNESS J: I do not have an answer to say why was he saving those or why was he choosing? But it is him who
20 chose to save ...[intervenes].

ADV BALOYI SC: No, I am happy with that answer, that all of this is what he saved. So he selected just to save ...[intervenes].

WITNESS J: Yes, Commissioner.

ADV BALOYI SC: Okay.

ADV POOE: In relation to the first set of screenshots that happened earlier in May, you put to us that it seemed to you that there was a successful extraction of whatever at that time. Now, these ones from page 15, is this now reference to a new ...[indistinct] based on what you know?

WITNESS J: From page 15, if we check the date, it is May. So it is May the 24th. So I suspect there was another container before this conversation of the 1st of April. And I will say this, this conversation talks about the container that
10 was recovered in Aeroton. Because there was never ...[intervenes].

ADV POOE: Which one?

WITNESS J: This conversation of the 1st.

ADV POOE: Okay.

WITNESS J: Yes. It relates to the container that was recovered in Aeroton. This is the last Threema conversation regarding the container in Piers, or Pier 1 or Pier 2. So this is the last one where they talk. So you check, it says behind the door, from the information that we
20 got from the investigation officer, even the people who were arrested, they said when they opened the door, the drugs were there.

There is pictures in Tumelo's gallery where you see the truck cap, the white truck cap, though there are no drugs there, but he has those images. So it shows to want

to say this is where they are placing those drugs.

ADV POOE: Just for completeness, at page 27, are those the images you are talking about?

WITNESS J: Ja, I am talking about those images. Those images.

ADV POOE: And so if the screenshots from the 1st of July are, in your opinion, related to Aeroton, the ones of the 24th of May would be the second.

WITNESS J: That is correct.

10 **ADV POOE:** That appears on the Threema ...[indistinct].

WITNESS J: That is correct.

ADV KHUMALO SC: And that, you say, would have been successful because they subsequently discussed payment to Philipp Plein?

WITNESS J: Payment was discussed on that container which was retrieved on the 31st of May. Yes, payment was ...[intervenes].

ADV KHUMALO SC: So that one is closed, then we move to June, that is the unsuccessful one.

20 **WITNESS J:** Yes.

ADV KHUMALO SC: There is no incident, and then we come to July, which is Aeroton.

WITNESS J: Yes, Commissioner. [REDACTED]

[REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

...[intervenes].

ADV POOE: [REDACTED]

[REDACTED]

WITNESS J: [REDACTED]

ADV POOE: [REDACTED]

WITNESS J: [REDACTED]

ADV POOE: And ...[indistinct]?

WITNESS J: [REDACTED] The only number that he gave us, it is Warrant Officer Phakula, but not for the state phone. Not for the state phone. The dispute was on his call because he used a state phone. By then I did not know that he was using a state phone. There was a
10 dispute regarding those calls.

So later on, I only received a printout from HR, because remember we are using state phones. So on the state phone, you can go to finance and request the call statement. So that is how now I made that conclusion to say, yes, indeed, he did speak to his Commander, Colonel Sephungu. Even Colonel Sephungu, we did check to say, okay, indeed, he did speak to General Khan. So I did not have section 205, like they call data records. It is only printouts that were handed over to me.

20 **ADV POOE:** Thank you, Witness J. You can proceed. You had just dealt with that ...[indistinct].

ADV BALOYI SC: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

WITNESS J: [REDACTED]

[REDACTED]

ADV BALOYI SC: Okay.

WITNESS J: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

ADV BALOYI SC: Okay.

ADV POOE: [REDACTED]

WITNESS J: [REDACTED]

ADV POOE: Okay. We can proceed.

WITNESS J: [REDACTED]

[REDACTED]

20 [REDACTED]

[REDACTED]

ADV POOE: [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED]

WITNESS J: [REDACTED]

CHAIRPERSON: Can we please? Your voice. You, Ms Poee.

ADV BALOYI SC: Are we still recording ...[indistinct]?

■ ADV POOE: [REDACTED] ■

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED]

WITNESS J: [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED]

[REDACTED] ■

■ [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED]

CHAIRPERSON: [REDACTED]

[REDACTED]

WITNESS J:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

CHAIRPERSON: [REDACTED]

WITNESS J: [REDACTED]

CHAIRPERSON: [REDACTED]

20 WITNESS J: [REDACTED]

[REDACTED]

[REDACTED]

CHAIRPERSON: Ja.

WITNESS J: [REDACTED]

[REDACTED]

[REDACTED]

ADV BALOYI SC: [REDACTED]

[REDACTED]

WITNESS J: [REDACTED]

[REDACTED]

CHAIRPERSON: [REDACTED]

[REDACTED]

[REDACTED]

WITNESS J: I follow.

CHAIRPERSON: Thank you. Please continue then.

WITNESS J:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes the need for transparency and accountability in financial reporting.

2. The second part of the document outlines the various methods used to collect and analyze data. It includes a detailed description of the sampling process and the statistical techniques employed to interpret the results.

3. The third part of the document presents the findings of the study. It shows that there is a significant correlation between the variables being studied, which supports the hypothesis that was tested.

4. The fourth part of the document discusses the implications of the findings for future research and practice. It suggests that the results could be used to inform policy decisions and to guide the development of new interventions.

5. The fifth part of the document concludes the study by summarizing the key points and reiterating the importance of the research. It also acknowledges the limitations of the study and suggests areas for further investigation.

6. The sixth part of the document provides a list of references to the sources used in the study. It includes books, articles, and other relevant materials that have contributed to the understanding of the topic.

7. The seventh part of the document contains a list of appendices, which include additional data, tables, and figures that are not included in the main text. These appendices provide a more complete picture of the study and its findings.

8. The eighth part of the document is a list of footnotes, which provide additional information and clarification for the reader. These footnotes are placed at the bottom of the page and are numbered to correspond to the text in the main body of the document.

9. The ninth part of the document is a list of figures, which are placed at the end of the document. These figures are numbered and include a brief description of each figure, as well as the data that it represents.

10. The tenth part of the document is a list of tables, which are placed at the end of the document. These tables are numbered and include a brief description of each table, as well as the data that it represents.

[REDACTED]

10 Can I continue?

ADV POOE: Yes.

WITNESS J:

[REDACTED]

[REDACTED]

ADV POOE: Thanks, Witness J. You can then go back to where you were in your statement. It is page 70.

CHAIRPERSON: Should we not do 43 as well, so that when you come back here and you start with ...[indistinct] WhatsApp chat ...[indistinct]?

ADV POOE: I avoided to do that because it introduces WhatsApp ...[indistinct].

CHAIRPERSON: Okay. Are we saying, was 43 read?

10 **ADV POOE:** No.

ADV BALOYI SC: But she says ...[indistinct].

CHAIRPERSON: [Indistinct]. Okay, all right. Back to Ms Pooe.

ADV POOE: Page 17, 34.

WITNESS J: 34?

ADV POOE: Perhaps ...[indistinct] start – you have explained how you matched Alpha with Iby Boss and the profiling. So can you move past that?

20 **WITNESS J:** Commissioner, that I wanted to say, maybe a question will come to say this side it says Iby with Eby and Iby. So I just need to explain this. On my presentation, I did not include that. Remember there was two WhatsApp chats on the site on the first page.

I think it is the first screenshot. It was written as E-b-y. But if you check the WhatsApp conversation of

Tumelo and [REDACTED] it is I-b-y. So this person who is calling Iby as E-b-y, it is another person, it is not Tumelo. But he knows Alpha. He is in communication with Tumelo, also in communication with Alpha. So he is saying as E-b-y, Tumelo is saying it as I-b-y, but they are talking about the same person.

ADV BALOYI SC: So Tumelo is I-b-y?

WITNESS J: With Tumelo, he is saying as I-b-y.

ADV BALOYI SC: Okay.

10 **WITNESS J:** With ...[indistinct] he is saying as E-b-y.

ADV BALOYI SC: Okay.

ADV POOE: And just for the record, that is page 8 of the presentation, the file that is called Voices, it is number [REDACTED] ...[indistinct]. Do you see that page?

WITNESS J: Yes.

ADV POOE: It is also projected.

CHAIRPERSON: Okay ...[indistinct]. Ja?

WITNESS J: Yes, Commissioners. Here from this, these are WhatsApp screenshots. Then from this conversation,
20 you can tell it is not Tumelo who is talking. Because if it was him, he would not have mentioned himself there. Let us start with the first message. It says:

“Salams, boss. The lawyer sent me a message to ask if the meeting with Mashaba and the people happened. Did

Tumi or Mashaba give you feedback?”

So I could tell to say this was not Tumelo. It was somebody else talking about Tumelo and Mashaba. Going to the other one:

“My boss was in a meeting with some head of Hawks, a guy called Mashaba and Tumi.”

It also confirms to say this is not Tumelo. It is another person. Hence, this person saved [REDACTED] as E-b-y.

10 Tumelo saved as I-b-y.

ADV BALOYI SC: And these messages you find on ...[intervenes].

WITNESS J: Tumelo's phone.

ADV BALOYI SC: [Indistinct].

WITNESS J: Yes.

ADV BALOYI SC: So they would have been forwarded to him.

WITNESS J: Ja. These were screenshots. But now on Tumelo's phone, they were forwarded by this person who
20 took the screenshots.

ADV BALOYI SC: Ja.

WITNESS J: Ja, they were forwarded to Tumelo.

ADV BALOYI SC: Okay, thanks.

ADV POOE: Thank you, Witness J. We can then go back to your statement.

WITNESS J: Paragraph 34?

ADV POOE: You have explained the Eby and Iby. And you have also explained at paragraph 35, 36 and 37.

WITNESS J: Yes.

ADV POOE: And that is the profiling of Nku's number and [REDACTED] [REDACTED] [REDACTED] number. So we can then proceed to page 38.

WITNESS J:

10 “[38] I conducted an analysis of the
WhatsApp chats with Tumelo Nku's cell
phone number [REDACTED] [REDACTED] [REDACTED] and
...[indistinct] TNO number.”

So this is Tumelo Nku's number:

“WhatsApp chat 16839. The following
conversation was extracted from
WhatsApp conversation saved as Chat
168 Between Tumelo Nku and [REDACTED]
[REDACTED] [REDACTED], attached as WJ1.

20 [38.1] On 2021-03-04 at 04:19:06,
Tumelo Nku says the following: Salam,
boss. May I please come through at 9
a.m.? The General just asked me to pass
by him at 7 a.m. [38.2] On 2021-04-02,
13:03:09, Iby Boss, it is [REDACTED]
[REDACTED] [REDACTED] who says the

following, “Where is General?”

[38.3] On 2024-06-21, 09:57:16, TN is
Tumelo Nku, who is quoted as saying,
“Sorry, boss. Been busy with Mashaba.”

[38.4] The above quoted message is confirmed that the two individuals are the same on the above and on many screenshots saved on the device is they both address Samuel Mashaba as General. There is also a voice note or audio on Samuel Mashaba's device where an individual is also mentioning the name General. As per audio..."

I did send the audio.

ADV POOE: Commissioners, should we play the audio or have you had a chance to hear it?

CHAIRPERSON: I have not.

ADV BALOYI SC: We have not.

[AUDIO PLAYED BACK]

[REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[illegible]

[REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
[REDACTED]
[REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED].”

WITNESS J: So this audio was found in Samuel Mashaba's device. So the gentleman is mentioning to say we will be having General's money. So we checked Tumelo and [REDACTED] they referred to Mashaba as General. Somebody
10 sent a voicemail to Mashaba. That person says something about the General.

Within the traffic department, there is no rank such as a General. They only call themselves Chief Director. They do not have a General. The only law enforcement department that has a general is within the SAPS. That is why we have a General. So they are mentioning Mashaba as General.

Even this audio was sent to him. Somebody sent to him to say this is the conversation between whoever and
20 that person who is talking over the phone. So this confirms to say Mashaba was referred to as General.

ADV KHUMALO SC: Were you able to make sense of – I think there was one of the chats where they said General from the Hawks. Was Mashaba ever with the Hawks? Is that where he gets the title General from? Do you know?

WITNESS J: Commissioners, let me put it this way. [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] I suspect Mashaba was never a member from DPCI. He was never a member of the Hawks.

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED]

ADV BALOYI SC: Can I – I mean this 38.1, 38.2, and 38.3, there are dates. One is in March 2021, another one in April 2021, and then the last one is in June 2024. What on just these notes should make me confidently say to Nku the General referred to here is Mashaba? If I say this is Mashaba and then he says no, it is not Mashaba, I do not refer to Mashaba as General, how do I explain to you that?

WITNESS J: Commissioner, on all the chats that I went
20 through of Tumelo, there is no way he mentions General except him talking to [REDACTED] He only refers to Mashaba as General when he is talking to [REDACTED]

ADV BALOYI SC: Ja, my question is how do I know that when he refers to General when he speaks to [REDACTED] when he says General, how do I know he is referring to Mashaba

and not a General in the Hawks?

WITNESS J: Commissioner, let us go back to that WhatsApp chat. That is where I said even it is E-b-y. Yes, this one.

ADV BALOYI SC: Yes.

WITNESS J: This other person who I take it is an associate of Tumelo Nku was in a meeting with some heads of Hawks called Mashaba and Tumi. So Tumelo was there. So it is possible that this person was informed by either
10 Tumelo or somebody who was there to say Mashaba is head of the Hawks. So head of the Hawks starts from General. To be a head, you are a General. They come after our head.

The head of the Hawks is a General. So this is also in reference to say Mashaba was calling him, or Tumelo was referring to Mashaba as General from the Hawks. Even on the numbers, Mashaba was using two numbers. I believe one was a state phone. The other was his personal. He is saved is ...[indistinct] Mashaba Hawks.

20 **ADV BALOYI SC:** Doggie Hawks.

WITNESS J: Doggie Hawks. Ja, Doggie Hawks. Even ...[indistinct] Mashaba Hawks.

ADV BALOYI SC: Ja.

WITNESS J: So that is the explanation that I do have at the moment, Commissioner. I am not sure if I did answer

you.

ADV BALOYI SC: I see it as General Mashaba. What is this?

WITNESS J: This was in Threema.

ADV BALOYI SC: Ja.

WITNESS J: It was between Alpha and Philipp Plein. They were talking about Tumelo had an accident before, so he lost keys. So they were talking about those kyes here. So he says:

10 “Mate, he will not give me the keys or the phone. He says legally he cannot. He put up a ...[indistinct] about General Mashaba.”

CHAIRPERSON: So I think that, too, helps with the question by Commissioner Baloyi.

WITNESS J: You can only come across the name Mashaba, General Mashaba, between Tumelo Nku and [REDACTED] No other person will mention him, except the screenshots whereby when he was talking to [REDACTED]

20 **ADV BALOYI SC:** Okay, I am aware.

WITNESS J: Thank you, Commissioner.

ADV POOE: [REDACTED]
[REDACTED]
[REDACTED] [REDACTED]
[REDACTED]

ADV BALOYI SC: Which one?

ADV POOE: [REDACTED]

WITNESS J: [REDACTED]

ADV POOE: [REDACTED]

WITNESS J: [REDACTED]

ADV POOE: [REDACTED]

WITNESS J: [REDACTED]

10 **ADV POOE:** Thank you, Witness J.

ADV BALOYI SC: [Indistinct]?

WITNESS J: Yes.

ADV POOE: [REDACTED]

ADV BALOYI SC: [REDACTED]

ADV POOE: Then we can go back to the statement. We were at 38 ...[indistinct].

m

20 "On 20-21-03, 10:06:56:54..."

So it will be 08:

"Tumelo Nku says the following, "Salam, boss. We tried transporting yesterday, but there were too many stop-and-search. Since last week-ish, I am trying

this week again.

[38.6] 2021-03-12, 04:06:11:36, Tumelo
Nku says, "Salam, Boss, I know it looks
like excuse after excuse. We got stuck
at, this is Beaufort West, K9 Units in the
blocks. We sent some of the runners to
check Jeffrey's Bay and via ...[indistinct]
Bay. Our interconnects say this site is
still hot to move by the road due to last
10 week problem. I am checking for the last
time. Else, I will make a plan via air, but
I am coming today."

ADV BALOYI SC: What is the last week problem that you
are referring to? I know with the July one, we knew that he
is referring to the June one, but the June passed. Do you
know what this was about?

WITNESS J: Commissioner, I cannot confirm what was he
referring to ...[intervenes].

ADV BALOYI SC: [Indistinct].

20 **WITNESS J:** Yes, I could not find anything to say there
was a drug bust along this route, he was referring to that. I
could not find anything.

ADV BALOYI SC: Okay.

ADV POOE: [Indistinct]... In terms of your analysis, did
you then understand this to be now yet another operation

that happened in March this time?

WITNESS J: Here Tumelo was transporting drugs using the road, but now he was trying to avoid using some other routes because I suspect maybe there was a vehicle or a truck that ...[indistinct] with the drugs. So that is why he was saying K9. K9 Units are the dog units. So ...[indistinct] dogs. So he was avoiding to use those routes because of maybe there was a problem before whereby there was a discovery of illegal stuff, which are drugs. So
10 he was trying to avoid using those routes. That is why he said, or else he would make a plan via air. But he was, I think ...[indistinct].

ADV POOE: Thank you. We can then go to paragraph 40.

WITNESS J:

“The above messages between Tumelo Nku and [REDACTED] [REDACTED] [REDACTED] suggest that both individuals are talking about Samuel Mashaba and he is being addressed as General Mashaba. Tumelo
20 Nku is saying there were too many stop-and-searches suggests that he was avoiding the law enforcement on the road and he mentions K9 Units, which according to my knowledge, are the drug units. Tumelo Nku also makes a mention

that it is still hot to move by the road,
which means he could have been
transporting illegal stuff.”

ADV POOE: Thank you, Witness J. We can then proceed
to paragraph 43.

WITNESS J:

10 “During my analysis, I managed to
establish a linkage between Tumelo Nku
and Samuel Mashaba through WhatsApp
and Telegram messaging applications.
The messages discovered on WhatsApp
suggest that the communication
WhatsApp Chat 88244, Samuel Mashaba,
who is save as Doggy Hawks by Tumelo
Nku, the WhatsApp chat is saved as Chat
882 on the device of Tumelo Nku and it
indicates that the first communication
started on 2019-02-16 and the last
communication in 2021-06-25.”

20 This is where now they moved to use this other messaging
application:

“As attached JW4. The relationship from
analysing the conversation between
Tumelo Nku and Samuel Mashaba
suggests the opposite of a handler and

informer. In this case, it is Tumelo Nku who is financially supporting Samuel Mashaba, not the conventional way where an informer is receiving money from the law enforcement as a reimbursement for providing information. I never came across such during the conversation whereby Tumelo Nku is claiming or Samuel Mashaba is referring to say Tumelo Nku must come and claim the money for the information that he provided.”

I never came across such:

“[43.1] On 2019-02-18, a message was sent by the user Doggy Hawks to Tumelo Nku with the message, “I will bring back your dignity to your horses.”, followed by a message from Tumelo Nku saying, “Buti, I am not the one to talk a lot or boast, but you will see the type of opportunities this will open up. I can only guarantee a formidable financial future.” On 2019-03-26..” ...[intervenes].

ADV POOE: My apologies, Witness J. In Chief Mashaba's testimony, he somehow suggested that he was not Doggy

Hawks. So could you profile this number that is attached, that [REDACTED] number?

WITNESS J: Okay, Commissioner. The number was not profiled because I knew from the devices that this number was Samuel Mashaba. He can dispute that. It is not him who saved himself as Doggy Hawks. It is Tumelo Nku who saved him or his number as Doggy Hawks.

ADV POOE: Okay.

ADV BALOYI SC: But the number is, you can verify it.

10 **WITNESS J:** Yes, Commissioner. It is Samuel Mashaba's number. He might dispute the name Doggy [REDACTED] but it is not him who saved himself as Doggy Hawks. It is Tumelo Nku.

ADV POOE: Paragraph 43.2.

WITNESS J:

“[43.2] On 2019-03-25, Samuel Mashaba sent a message to Tumelo Nku saying, “Are we not moving this week?” Followed by, “[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]”

[REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED]

ADV BALOYI SC: [REDACTED]
[REDACTED]
[REDACTED]

WITNESS J: [REDACTED]

ADV BALOYI SC: [REDACTED]

WITNESS J: [REDACTED]
[REDACTED]

ADV BALOYI SC: Okay.

ADV POOE: 43.3.

10 WITNESS J:

“[43.3] On 2019-03-29, Samuel Mashaba sent a message to Tumelo Nku, which was a bank account, [REDACTED] FNB, Shilobane Lodge...”

Not Shilobane, it is Shilobane Lodge:

“...followed by the message by Tumelo Nku ...[indistinct].”

So Samuel Mashaba provided that business account, Shilobane Lodge, which is a company registered under
20 Samuel Mashaba. So it belonged to Samuel Mashaba. Then later, Tumelo said done. So to me, it tells me that Tumelo had deposited money because he was provided with a bank account. Then he says it is done. So he could have transferred some money to this bank account. Telegram chat 138. Paragraph 45:

“Telegram messages were discovered
between Tumelo Nku with a username
[REDACTED] The ...[indistinct].”

So this is the username of Tumelo Nku. Tumelo Nku has
two Telegram accounts. The other one is the Ghost 48.
Then the other one is the ...[indistinct]. So those numbers.
The other one is used by 274. The other one is used by
[REDACTED] So the ...[indistinct] is Tumelo Nku here. It is the
username of Tumelo Nku.

10 Then Samuel Mashaba with the username
[REDACTED] sending Mashaba Hawks. The Telegram
messages appear to have been typed out due to the
formatting which they were extracted by the digital forensic
...[indistinct]. Here I was explaining why does it appear the
way it appears. It is how it was extracted by the DFI.

ADV BALOYI SC: So it is not a typing?

WITNESS J: No, it is not a typing. And it is them who can
tell to say which programme they used to do the extraction:

20 “[47] A message was sent to Samuel
Mashaba on 2021-07-09.”

The time here, can we open my presentation?

ADV POOE: Yes.

WITNESS J: Commissioners ...[intervenes].

ADV POOE: Page 26.

WITNESS J: If we can check here, it was not a mistake

when I said that on 2021-07-09, like I said, because it is a presentation, I could explain because when you are presenting something, then you need to talk to the presentation. It is because I had already discovered to say this UTC, when it says 22, it is 00, so that date should change now to be the 9th.

That is why I start with my presentation to say on 2021-07-09. Then here it says 08. Maybe the confusion will come to say, but why does it say 08-2022-25
10 ...[indistinct] 19, but they are talking about 09. So it is two days. So the message, this location, it was sent on the 9th at 12:25:19 because of that time zone difference

“So a message was sent to Samuel Mashaba on 2021-07-09 at 00:25:19. They downloaded data. It is using the coordinated universal time, which is the UTC, which means the timestamp as it appears is two hours behind.”

So whenever we come across UTC, you must know that we
20 need to add two hours.

ADV BALOYI SC: On that ...[indistinct] page, can you just explain that line there? Because I have notes here, I just want to make sure that you are saying the same thing that I put down here. You are saying who was sending, who was receiving?

WITNESS J: Tumelo Nku, using that Telegram account or the username, the ...[indistinct], it was him. That is why we have this thing inside ...[indistinct]. It indicates that it is the person who owns that account. He sent Samuel Mashaba, now ...[indistinct] Mashaba Hawks, a location through Telegram of where they should go and the coordinates are that of Yellow Jersey. So it was Tumelo Nku sending Mashaba those directions.

ADV BALOYI SC: Okay. What was done with Mashaba, a
 10 correction was made here. The correction was that Mashaba received at that time 00:25:19. So we had to make the correction. So in my corrected version, we made the correction because of the Evidence Leader. She told us we need to correct that, there was an error. So the corrected one reads on 21-07-09, Samuel Mashaba received from Tumelo Nku a location through Telegram of where they should go and coordinates are that of da-da-da-da. So the 00:25 was when it dropped on this correction, when it was received by Mashaba.

20 **WITNESS J:** Okay, Commissioner. I will say it was sent. Why I am saying it was sent, because we picked this up from the person who is sending the message. So we do not know the receiver, when did he open his phone, when did he receive the message, but we can only confirm from the person who is sending that location.

So it was sent to Mashaba because here is from Tumelo Nku's device. This Telegram message is from Tumelo Nku's device. So he is the one who sent those directions or the message to Mashaba at that time. So as to when did he receive, I can only tell if I can open Mashaba's – but here I was using Tumelo Nku's device. That is why I am saying Tumelo Nku sent the message.

ADV BALOYI SC: Ja. Okay. So the correction should never be made. Okay.

10 **WITNESS J:** So it shows where is it from. It is from the ...[indistinct] we know now the ...[indistinct] is Tumelo Nku that time. So I took these coordinates, same thing that I normally with the coordinates from the cell providers, the Excel spreadsheet there. Then you plot them to where they use Google Maps, then it gave me the location of Yellow Jersey. So it confirmed to say this is the location because the IO told me to say the truck was from Yellow Jersey and Vodacom.

So it means Tumelo Nku knew where the truck was.
20 So hence the message, we need to go here, then follow the message before 06:30.

ADV POOE: Thank you, Witness J. We can continue at paragraph 49.

WITNESS J:

“There was a communication linkage

between Tumelo Nku and the Yellow Jersey Logistics employee on the 2021-07-08 while Tumelo Nku was in the vicinity of Durban. The first three calls were made to the employee's cell phone number while the last call was made to a landline number and a search for the number was conducted and it indicated that the landline number belonged to

10 Yellow Jersey Logistics.”

So we have that. So how it goes here, the first call is the last one here. It is the last one. We check the time, it says 15:07, it is 17:07, followed by 17:16:40, followed by 17:18. So these three calls were made to her cell phone. Later on, they changed to the landline number. So to me, if Tumelo Nku knew the landline number, he could have directed his call to the landline number.

Why did he first start communicating on this number? Then later on, he was given the landline number

20 to communicate with. Then we check also the duration. The first call we know that she did not answer, that is why it says 00. The second one is 58 seconds. The third one is 26 seconds. But let us check the landline.

It is 04:40, 4 minutes 40 seconds. So this is where they spoke on the landline number. And my analysis tells

me to say, Tumelo Nku, that number, he got it from the person that he was in communication with on that cell phone number. Because if he had the number, he could have directed his call straight to the landline number.

ADV POOE: All right.

WITNESS J:

10 “[50] An application in terms of section
 205 of the Criminal Procedure Act 51 of
 1977 was authorised to obtain
 information from the cell phone records
 of the employee, Sandra.”

We identified Sandra using the same process with the cell phone number. I do have the profile as well. So that is how I identified to say this is the person, Sandra. Because the cell phone number, when we punched it on the system, then we could generate a profile.

ADV POOE: And do you know what Sandra does at Yellow Jersey?

WITNESS J: I do not know.

20 **ADV POOE:** Thank you.

WITNESS J:

 “Records of the employee, Sandra
 Engelbrecht. And the said data records
 was analysed and the following findings
 were discovered.”

So here it shows records, unlike the previous page where it shows four calls. The previous call, it was extracted from the phone itself. That is why it had four. But here it does not show because that phone was never answered. It never even went to voicemail. If it went to voicemail, it was going to register on a phone as a call forward.

What is a call forward? When somebody is unreachable, then the phone will go to voicemail. We do not, we are not sure whether the person, the phone was off
10 or maybe because of the ...[indistinct]. But once it starts giving us duration, then it tells us to say it went to voicemail and it will show on the phone records to say it is CF, it is call forward.

So hence here it is only three calls because it was never answered. So let us check the first call. The first call we know that it was Sandra before it went to Yellow Jersey. So this is the correct time. Remember that site, it says 15 something. This is the correct one because we get it from the same providers.

20 That is why it says 17:16, the first call. The second one, it says 17:18:19 seconds. So the location when it says 3G ...[indistinct] FU9 KZN, that is where the tower where Tumelo was making a call. That is the tower that connected during his call. So he was in KZN. Then there, because it is counted in seconds, that is why it is giving us 280. So it

is four minutes, 40 seconds.

So this confirms what was found on his phone, what was extracted from his phone. Those call records, he cannot dispute them because even the cell provider is giving us the same information:

10 “[49] The above is a timeline graphic of calls on 2021-07-09 with the icons inside the coloured circle. The blue circle icon represents Tumelo Nku with cell phone number [REDACTED] [REDACTED] [REDACTED]. The red circle icon in the middle of the graphic represents Yellow Jersey Logistics with telephone number ([REDACTED] [REDACTED] [REDACTED]). The second red circle icon at the bottom represent Yellow Jersey Logistics employee, Sandra Engelbrecht, with cell phone number [REDACTED] [REDACTED] [REDACTED]. The time linkage created using the analyst notebook programme where the cell data
20 record was imported to the programme and then analysed the records, and no tampering was done on the records during the importing process.”

Analyst notebook recognises anything that is in Excel. So we import that Excel sheet as it is. Then you select to say

what is it that you want the programme to analyse. Then it does the analysis itself. You do not need to add anything. It will analyse itself. So there is no way we can tamper with the information because we just copy as it is and put it to the programme to run. Then it analyses itself:

10 “The direction of the arrows indicates the person or subject who received the call. The blue arrows represents the calls received by Yellow Jersey. The Yellow Jersey Logistics landline and Sandra Engelbrecht with [REDACTED].

[49.5] There were two calls received by Sandra Engelbrecht using cell phone number [REDACTED]. The first call was at 17:16:54 and the second call was at 17:18:19.

[49.6] There was one call made to Yellow Jersey Logistics with the landline number ([REDACTED] at 17:19:09.

20 [51] There were images discovered from Tumelo Nku's phone off a computer screen with a Transnet logo at the bottom left of the screen. The details on the image were compared to the Yellow Jersey Logistics truck found on the crime

scene at Aeroton and I discovered that the registration and the company name is the same as it appears on the computer screen.”

So this image has information in the middle there. It has a gate that says Pier 1. We recalled to say that a vessel was supposed to be at Pier 1. So this is where the container was collected. Then the tracking company, it says Yellow Jersey, truck licence ...[indistinct]. We will check the
10 registration on the following page. It is the same registration as that tracking company.

Then we go to the far. It left says it was created. Then entered yard is the time, the date and time when the truck entered the yard. I believe it was captured on their system, when did it got into the yard. So it got into the yard 2021 July the 8th, 11:52 something, or 11 something. I am not sure. Then it exited the yard 21 July 08:12:26. Truck position was on Pier 1 out.

Let us go to the following page. So this is the
20 registration. The registration is the same as the one that appears on the screen. The company name is on the left. If you know Yellow Jersey truck, if you once came across it, it is written Yellow Jersey Logistics where there is a T-shirt, the white T-shirt, it is Yellow Jersey.

So this confirms what was on Tumelo’s phone

because that screenshot, or I will not say it is a screenshot. It is an image. It was found on Tumelo's device. So this confirms to say he had information regarding the same truck.

So he knew the container that would be loaded on this truck. There is information of the container. Also, it was found on his phone before this incident. So that is the image. It was also extracted from the image gallery, the one that says track-and-trace. If you check, it is also from
10 Transnet. It has a Transnet logo.

So it has a unique number. That unique number that start with BEAU, it is a container number. If you zoom that container at the back, in fact, ja, I think at the back of the truck here. No, we will get another picture of the truck here. You will see it is that container.

So facility is where that vessel was ...[indistinct]. Vessel, outbound mode, truck, departed, position, it is the registration of the truck. [REDACTED] ...[indistinct]. Then this is the time in of that truck, time out of that truck. I think we
20 are done.

ADV KHUMALO SC: [Indistinct]... switch off.

WITNESS J: Let us check now. If we can compare the two images, that track-and-trace, that unique number is the same unique number that you find in the container. So Tumelo had the registration of the truck, he had the serial

number of the container that will be carrying the drugs. So he had those before the incident.

ADV KHUMALO SC: Sorry, do you mind just getting up and pointing it or somebody is pointing?

WITNESS J: [Indistinct]... If you go to page 25 on track-and-trace, that image, go to unique number.

ADV KHUMALO SC: BEAU?

WITNESS J: Yes.

ADV KHUMALO SC: Ja. Okay.

10 **WITNESS J:** That is the container.

ADV BALOYI SC: So Tumelo had them on the 8th?

WITNESS J: He had them on the 8th, Commissioner. That is correct, before the incident.

ADV POOE: We can then move to paragraph 50.9 on page 26.

WITNESS J:

20 "The unique number on the track-and-trace image corresponds with the container number as it appears on the container.

[50.2] Facility, which is Pier 1, is a berthing platform for a vessel and it contains the communication between Alpha, [REDACTED], [REDACTED], [REDACTED], and Philipp Plein Tumelo Nku on

Threema screenshots, where there was a mention of Pier 1, as per screenshot 2021-05-24, 21:17:43, Threema, and screenshot 2021-07-01, 19:24:18.”

This is in relation where they are mentioning Pier. There is a lot of screenshots, but I was just making reference to these two:

10 “Position appears to be the registration of a Yellow Jersey Logistics truck found at the crime scene in Aeroton.

[50.4] Time in and out relates to the time the truck entered and exited the port for collection of the container.

[52] There were images found in the gallery of Tumelo Nku with the timestamp 2021-07-07. The images were of bags wrapped in black tape, which are similar with the bags recovered from the police bakkie at the crime scene, which were
20 from the container...” ...[intervenes].

ADV KHUMALO SC: Can I ask, Witness J? One of the witnesses, Magane, said Nku was never close to the truck. He was 300 metres away. And we debated this issue with him. Looking at the photo on page 25 and 26, it suggests that he was very close to the truck when he was taking

these photos. Because I can, unless you are using a very fancy phone that can take the quality of pictures that we are seeing, you cannot do that from 300 metres. Surely, it must mean you are standing right next to this truck to be able to take this photo, especially on page 26.

WITNESS J: Commissioner, the photo that appears on page 25 and 26, these are photos which were extracted from the photo album, the official photo album from LCRC. But we do have pictures of Nku where he took, you can tell
10 that he is not far, where he took pictures. But these ones, I used the LCRC photo album.

ADV KHUMALO SC: Okay.

WITNESS J: Hence there is a cordoning tape. Page 27 ...[intervenes].

ADV POOE: Sorry, Witness J. The pictures you are referring to, if we go to the WhatsApp and Screenshots Bundle, in particular page 51. We just have to zoom in those. Go down. The last two points. Witness J, is that the ...[intervenes].

20 **WITNESS J:** Yes, this is Tumelo Nku sitting inside his vehicle taking a picture. This is not the only picture. The other one you see in the ...[indistinct] of the vehicle. He is seated inside the BMW, so you can see. This is Tumelo Nku taking the picture.

ADV POOE: Okay.

WITNESS J: Yes.

ADV POOE: The next page.

WITNESS J: Yes ...[intervenes].

CHAIRPERSON: And the trunk ...[indistinct].

WITNESS J: You can see in the colour of the vehicle, this was Tumelo Nku taking the picture.

CHAIRPERSON: Thank you.

WITNESS J: Page 27. The first three images, except the one from the bakkie, these were extracted from Tumelo
10 Nku's image gallery. Those pictures were taken from Tumelo Nku. So comparing the images on his gallery with the ones, I saw a similarity to say the bags on the back of the bakkie are the bags which were recovered on the day of the incident, which was the 9th. But they are very similar in the way they are wrapped with the ones which were found on Tumelo Nku's gallery.

So looking at the pictures as well, you can tell that these bags are inside something like a truck cab or a container or the back of a bakkie. But if you see, because
20 it has, I do not know how to call those lines that we see on the first picture, but you can tell it is inside something which is a metal. So it is a container, a truck cab. The images were inside that.

ADV KHUMALO SC: Do the properties tell you when the photos were taken or saved? Because normally when you

go to a phone's photo album, it will tell you that this photo was taken today or it was saved today. I am trying to bring them closer to the date of the incident so that he does not say, no, no, these are photos from a year ago. They have nothing to do with the Aeroton crime scene.

WITNESS J: Commissioner, we can tell if this photo was taken by that device. But if it is a photo that was sent to this device, we cannot tell. We can only have a date of that day when it was saved on your device.

10 **ADV KHUMALO SC:** That is what I am asking.

WITNESS J: So these pictures were saved on the 7th.

ADV KHUMALO SC: Okay.

WITNESS J: As to say when were they taken, I cannot answer that because they are from somewhere ...[intervenes].

ADV BALOYI SC: So someone sent them to Nku, they were not taken by Nku?

WITNESS J: No, no, no.

ADV BALOYI SC: Okay.

20 **ADV KHUMALO SC:** But you can confirm that he saved them on the 7th?

WITNESS J: On the 7th, yes.

ADV KHUMALO SC: Which is two days before the Aeroton ...[intervenes].

WITNESS J: That is correct, Commissioner.

ADV POOE: Commissioner, just to say, even our own analysts confirm that that is the spreadsheet at the page 51. That it was saved on the 7th of July.

ADV KHUMALO SC: To avoid him saying, no, but this is from a year ago, it has nothing to do with Aeroton. So just proximity in terms of time makes it more probable than not.

CHAIRPERSON: Even if these were taken on the 7th, then it means that the ...[indistinct] of Aeroton ...[indistinct].

ADV BALOYI SC: Unless they were taken at the time of
10 packing.

CHAIRPERSON: Packing, okay.

ADV BALOYI SC: And then someone took ...[indistinct].

CHAIRPERSON: Okay.

WITNESS J: You see, this is the metadata of ...[indistinct].
So this is the date that we get this device. So this tells us,
let us go down to the Threema messaging. Commissioner,
it is an image, let us go down to Threema. Okay, just wait
there. It says screenshots, 2019 April the 12th, 08:20, from
WhatsApp. So this is when you can tell to see when was
20 the screenshot taken.

ADV BALOYI SC: Okay.

WITNESS J: Yes. So if you look at the picture, it tells you
to say ...[intervenes].

ADV BALOYI SC: [Indistinct].

WITNESS J:

[53] On 2021-07-09, which is the day of the incident, Samuel Mashaba called Warrant Officer Phokungwana from Aeroton SAPS, who then gave Samuel Mashaba via WhatsApp the cell phone number of Warrant Officer Magane of Zonkizizwe SAPS.”

That blue image, it is an extraction from the phone itself. That is why we have it in here, the UTC, because it was
 10 downloaded. This is a participant. It is ...[indistinct] when it says ...[indistinct] against Aeroton it is Warrant Detective Alberton. Ja, it is Warrant Detective Alberton. So WhatsApp.net Killer Owner, Killer is Samuel Mashaba. Remember, he is not using only one number. Killer is Samuel Mashaba.

ADV BALOYI SC: So you have linked the number to him?

WITNESS J: That is correct. Yes, that is correct, Commissioner.

ADV BALOYI SC: Okay.

20 **WITNESS J:** So if we check from, it shows the person who was sending that WhatsApp. So it is that Warrant Officer Detective from Alberton, from him. Then the body says Marumos. That is how Warrant Officer Phokungwana saved Magane's number as Marumos. Marumo is one of his names, saved as Marumos. ■■■■■ is his number.

Then this is an attachment.

Ja, let me call it an attachment of a cell phone number or contact that was sent to someone. Then if we check the timestamp there, it says 2021-07-09. It says 03. We put two hours. It is 05:41, right? So it is 20 to 06 when Marumo's number was sent to Samuel. So he could not have phoned before he received the number.

So he received the number from Phokungwana. Then after he will phone. So I will prove that with the call
10 records of Phokungwana because we do have Phokungwana's number.

ADV BALOYI SC: Okay.

WITNESS J: Going to 54, it says:

“The above image is from downloads and it is a communication between the users
████ █████ ...[indistinct] Detective Alberton, Warrant Officer Phokungwana, and █████ █████ █████ Killer, Samuel Mashaba, on 2021-07-09. The image it
20 appears that a cell phone number of █████ █████, Marumos, was shared between the users.

[55] An application in terms of section 205 Criminal Procedure Act 51 of 1997 was authorised to obtain information from

the cell phone records of Warrant Officer Phokungwana and the cell data records was analysed and the following findings were discovered.”

Can we go to the image? Okay. The first icon is Warrant Officer Phokungwana. The second one is Samuel Mashaba ...[intervenes].

ADV BALOYI SC: Can you just enlarge it? You have had it ...[indistinct].

10 **WITNESS J:** The first one is Warrant Officer Phokungwana, it is Samuel Mashaba and it is Joseph Marumo. I used these two colours for calls which were made and calls which were received. So the blue will be calls which were made by Warrant Officer Phokungwana. The red will be calls which were received by him. Even the arrow will be pointing to say where the direction of the call.

So at 05:38, that is when Samuel Mashaba spoke to Warrant Officer Phokungwana for almost two minutes. 05:38. The number was given to Samuel at 05:41. So this
20 started first. A call started before a number was sent to Samuel Mashaba.

So Samuel phoned at 05:38. At 05:41 then he received the number for Marumo. Then Marumo, second call 07:12:30. Then he phoned Warrant Officer Phokungwana. It was Joseph Marumo who was phoning at

07:12:30. Then at 10 o'clock on the same day, Warrant Officer Phokungwana phoned Marumo. So that 3G Windmill Park is the location. Even this one, 3G Sunward is the location of Warrant Officer Phokungwana. Because we had ...[intervenes].

CHAIRPERSON: We are laughing because when Colonel ...[indistinct] was testifying, I interpreted this correctly.

WITNESS J: Yes, Commissioner.

CHAIRPERSON: And my colleague laughed at me and did
10 not believe me.

WITNESS J: That is correct, Commissioner. So the reason why I am saying the locations are Warrant Officer Phokungwana is because the call data request is Warrant Officer Phokungwana. We cannot tell when the other person was making a call, where was he, because those data records are for the person that we requested.

So with these two people, I cannot tell where were they, when they made calls or received calls. But we can tell about Warrant Officer Phokungwana, to say Sunward
20 Trinity Church, he was there. Even the second call, he was there. Later on, the last call, he was at Windmill Park. So that is the tower that he used.

ADV BALOYI SC: And do you get information of the duration of their calls?

WITNESS J: Yes, it is from that spreadsheet that I showed

you before. The duration of their calls that I showed you before. 32 is 32 seconds.

ADV BALOYI SC: I see.

WITNESS J: Because it counted in seconds and ...[intervenes].

ADV BALOYI SC: And then 109 at the top?

WITNESS J: Ja, I forgot to explain this. MTC is Mobile Terminating Calls. MOC is Mobile Originating. So this is the language that is used by the cell providers. So when a
10 call is made by me to Advocate Mosikili, it will be mobile originating because it originates from me. So when I receive a call, it will say terminating.

So if it says MTC, it is calls that were received by the person that we requested data. The MOC, it is him making those calls. So MTC, these two calls, the red ones, are the calls that he received. Hence, it says the date, time, the call type. MTC is the call type. Then the duration. Then ...[intervenes].

ADV BALOYI SC: And that is seconds.

20 **WITNESS J:** Yes, that is seconds.

ADV BALOYI SC: Okay.

ADV POOE: Witness J, that explanation will cover 54.1 to 54.6. Sorry, Commissioners. My colleague was just mentioning that we are waiting for the transcript ...[indistinct] but I think that was an explanation. We can

move to paragraph 56 on page 29.

WITNESS J: Sorry:

10 “[56] Samuel Mashaba then sent a location to Marumo Joseph Magane with cell phone number [REDACTED] at 06:40:53 seconds. The location was that of Yellow Jersey Logistics, Roodekop as per the Google map. The time on the download will appear two hours behind since the time is in UTC plus zero, as explained above.”

So that time, we should not consider it. We should consider the one that is 06, not 04. Ja. So following it is where locations, when you drop them on Google maps, that is where they take it.

ADV POOE: That is just to confirm the coordinates of Yellow Jersey, and you can move to that ...[indistinct].

WITNESS J: Commissioners, this was extracted from Joseph Marumo's phone.

20 **CHAIRPERSON:** [Indistinct] ...[intervenes].

WITNESS J: Joseph Marumo Magane's phone.

CHAIRPERSON: Yes, thank you.

WITNESS J: The numbers highlighted in yellow are his numbers. [REDACTED] [sic]. So inside here, it starts with the direction. It was from [REDACTED]. Even Magane

saved him as General Mashaba. This General Mashaba, I did not put the General Mashaba. It was extracted from his phone. This is how Marumo saved Mashaba. He says General Mashaba.

So the first call he received from Mashaba, it was on the same day, the time that he should read 06:24. Is it 91? 06, there it says 04:24. I think the last two numbers ...[intervenes].

ADV POOE: I think it is 91.

10 [Indistinct – cross talking].

WITNESS J: Yes.

ADV BALOYI SC: Because you read from the bottom up.

WITNESS J: 31. 31, ja. So that call was made at 06:24:31. During one of his statements, he says Marumo, he was at the parade at Zonkizizwe doing duty officers because he needed to brief the parade. The parade in the morning is at 06:00. So it confirms the time that he was in Zonkizizwe Police Station when he received this call.

20 So then he phoned – or it was from ...[indistinct] he phoned Mashaba, the second one, second last one, the one that is in blue. He phoned him, I think three minutes after that. 06:27:24, he phoned Mashaba. Then again, now he received a call from Mashaba at 06:40:02 for 10 seconds. To Rambos [?], Rambos is Warrant Officer Phakula. That is how he saved, or maybe that is how Marumo calls Warrant

Officer Phakula.

It is Rambos. So that name Rambos refers to Phakula. So Phakula was phoned at 07:41:40 seconds for one minute, 18 seconds. So this was communication between Marumo, Mashaba, and Rambos. I did not include other people. I only focused on the suspects because there were a lot of calls that he was making, but I did not include them. I was only focused on the communication amongst the three of them because Tumelo was never phoned by
10 these people.

Warrant Officer Phakula and Warrant Officer Magane, they do not know of Tumelo. They do not have any communication with Tumelo. So even Phakula does not have any communication with Tumelo or Mashaba. He only had communication with Magane. So this is the communication from Warrant Officer Magane's phone. I hope I clarified the issues of the time.

ADV BALOYI SC: Yes.

CHAIRPERSON: Yes.

20 **ADV BALOYI SC:** And because you looked specifically at the suspects, it does not mean he did not call, because I think his evidence was that before he called Phakula, he called somebody else.

WITNESS J: It is true, Commissioner.

ADV BALOYI SC: [Indistinct]. Okay.

WITNESS J: Yes.

ADV BALOYI SC: So it does not mean that that is a lie.

WITNESS J: No.

ADV BALOYI SC: And if I look at this ...[intervenes].

WITNESS J: It is true. There are people that he phoned, but the request was that let us get linkages amongst these suspects.

ADV BALOYI SC: Okay.

ADV POOE: We do not have to go through page 31
10 because it is ...[indistinct]. Also, we do not have to go through the first set of ...[indistinct] reports because that deals with May 18 to 22, which we dealt with at the beginning of the session, which means we can go to page 45, which deals with ...[indistinct] Aeroton incident. It is ...[indistinct] 6.

WITNESS J: Map 6, dated 2021-07-07, two days before Aeroton. So what I did here, Commissioners, I took only those three dates from Tumelo Nku's cell data records. I only highlighted the 7th, 8th, and 9th to check his movement
20 for those three days.

So if you check on the left, the keys are there. On the 7th, it is yellow. On the 8th, it is green. On the 9th, it would be pink. So if you check, I have highlighted the 7th. I am not sure if it is visible. I have highlighted the 7th.

ADV POOE: Yes ...[indistinct]. Yes, it is visible.

WITNESS J: And if you go to the map itself, you will see yellows are coming out. It is because now we have highlighted only one day. Even those other ones, you can see them in the background, but the yellows are coming out because I was highlighting that.

So the movement was from where Tumelo was in Krugersdorp. If we can open the live map and view it and zoom it, you will see that it was from that side of Krugersdorp. So the direction was going to Durban using
10 the N3. So he was moving along the N3 to Durban. So this was on the 7th.

ADV BALOYI SC: And you know how that he was moving to Durban? Is it timestamps?

WITNESS J: Okay. Yes, it is timestamps to check the location when he was at Krugersdorp and the last movement of that day. He ended up in Durban. But in the early hours of the 7th, he was in Krugersdorp. So it shows that he moved passing Alberton. All these towers that are along the N3 going down to Durban, his phone was picking up all
20 those towers down to Durban.

During the day, that is when you see a lot of movement in Durban. It is because he was there. Others you can see that it is only one, one, one, one, one. But lots of movement are there in Durban.

ADV KHUMALO SC: After this commission, South Africans

are going to switch off their phones. What they heard that if your phone is on, everywhere you go, it will be picked up, but let us leave that for now.

WITNESS J: I think I even said that with one of the ladies who called me to say I think you are revealing too much. I was worried about the success, that we will not have success.

ADV POOE: I think you can then go to the first bullet point at page 36.

10 **WITNESS J:**

“Tumelo was in the vicinity of KwaZulu-Natal from 2021-07-07 as he left Gauteng on the same day, according to cell phone towers active on both his cell phone numbers on [REDACTED]. The container was still at the port in Durban on 2021-07-07 and it was released and transported on 2021-07-08.”

We got this information from those pictures that had
20 Transnet logos. We got that information to say it was released on the 8th, which is the date Tumelo Nku travelled back to Gauteng from KwaZulu-Natal. Even here, Commissioners, we checked, I checked his phone locations. On the 8th, he started in Durban. So it went the direction of Gauteng. When he was passing Free State, the colour

changes from red on my presentation.

ADV POOE: [Indistinct]... page.

CHAIRPERSON: [Indistinct]... just a second.

ADV KHUMALO SC: I hope it is not recording.

ADV POOE: It is.

CHAIRPERSON: We have your ...[indistinct].

ADV POOE: We will redact it, Chair ...[indistinct]. Yes?

WITNESS J: Yes, Commissioners. I was saying the location starts in the province of KwaZulu-Natal. You can
10 see there is lots of movement down there in Durban on the day. So I used colour green on this one. So colour green represented the date on the 8th.

So as he was moving up around Free State, then he changes colour to pink or red. It is because it was another day. 12 o'clock midnight he was passing the Free State Province. That is where now we had to change a date. Yes. So he came to Gauteng just after midnight.

ADV BALOYI SC: Okay.

ADV KHUMALO SC: But the question I had asked, it
20 looked like they were circling around there once they got to the Free State. Why do you have four circles in one place? Is there a truck stop there?

WITNESS J: I am not sure, Commissioner, because I never went physically to check, but the possibility is that his phone did not use only one tower.

ADV KHUMALO SC: Okay.

WITNESS J: There were towers that was catching different towers at the same time. He did not use one tower. Because his icons represent towers that were active. 2021-07-08, which is the date Tumelo Nku travelled back to Gauteng from KwaZulu-Natal. This indicates that Tumelo Nku was monitoring the container from KwaZulu-Natal to Gauteng.

On the map dated 2021-07-07 with yellow tower
10 icons, it is when Tumelo Nku was moving from Gauteng to Durban. The icon starts from Krugersdorp which is where Tumelo Nku is residing, and later was in the vicinity of Durban.

ADV POOE: I would not say you have covered those two bullet points that covers where he moves from Krugersdorp to Durban and then back up. You can then deal with, I think it is the bullet point right before the blue table.

WITNESS J: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

ADV BALOYI SC: [REDACTED]

[REDACTED]

WITNESS J: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

ADV BALOYI SC: [REDACTED]
[REDACTED]

WITNESS J: I am not sure.

10 ADV BALOYI SC: Okay.

WITNESS J: When they go to KZN, I am not tagging along.

ADV POOE: [REDACTED]
[REDACTED]

WITNESS J: [REDACTED].

ADV POOE: Okay.

WITNESS J: Yes.

ADV POOE: [REDACTED]

WITNESS J: [REDACTED]

ADV POOE: [REDACTED]

20 WITNESS J: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

ADV POOE: Okay. We can move to page ...[intervenes].

ADV BALOYI SC: [REDACTED]

[REDACTED]

[REDACTED]?

WITNESS J: [REDACTED]

[REDACTED]

[REDACTED]

ADV BALOYI SC: Yes.

WITNESS J: [REDACTED]

[REDACTED]

[REDACTED]

ADV BALOYI SC: Thank you.

ADV POOE: Witness J, we dealt with the movement with Map 7 and 8. So we can go to page 38.

WITNESS J:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

ADV BALOYI SC: [REDACTED]

[REDACTED]

[REDACTED]

WITNESS J: [REDACTED]

[REDACTED]

[REDACTED]

ADV BALOYI SC: Do you ...[intervenes].

WITNESS J: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

ADV BALOYI SC: [REDACTED]

[REDACTED]

WITNESS J: [REDACTED]

ADV BALOYI SC: [REDACTED]

WITNESS J: [REDACTED]

[REDACTED]

[REDACTED]

ADV BALOYI SC: [REDACTED]

WITNESS J: [REDACTED]

[REDACTED]

ADV BALOYI SC: [REDACTED]

[REDACTED]

ADV KHUMALO SC: [REDACTED]

[REDACTED]

WITNESS J: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

...[intervenes].

ADV KHUMALO SC: [REDACTED]

WITNESS J: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

ADV BALOYI SC: [REDACTED]

[REDACTED]

10 **ADV POOE:** We got a very large document from Witness J that we did not look because it is over 5 000 pages once converted ...[intervenes].

ADV BALOYI SC: So you will still go through that?

ADV POOE: Yes.

ADV BALOYI SC: Okay. You can move to profiling Mr Nku.

WITNESS J:

20 “Profiling Mr Nku. During my analysis of Tumelo's cell phone data, especially the messages on the messaging applications, it indicates that Tumelo is a facilitator for the containers that are used to conceal illegal drugs. He is involved in drug trafficking and has people who are assisting him to facilitate the trafficking

of drugs. Tumelo Nku is not an informer as he alleges because if that was the case, the drug-seizing was supposed to be seized in Durban. Why would he risk travelling all the way to Durban and come back following the truck? Tumelo was working for [REDACTED] [REDACTED] [REDACTED] [REDACTED] and had contacts within law enforcement who were assisting him with illegal activities. Samuel Mashaba, the law enforcement officer within the Gauteng Traffic Department, had connections with other units of the law enforcement that he used to assist Tumelo to achieve his objective, which was to retrieve illegal drugs from the truck. Tumelo has an immovable property that is registered under his mother, immovable properties that he purchased using companies so to hide his true source of income. There is a property and vehicle that are used by Tumelo, but all those are not under his name. The property was purchased for R2 900 000.”

That property, you can see, he takes pictures inside that property, even outside. When you do an address search on Google, it will take you directly to that property. Even when Tumelo is sending the code to his visitors, that code, it will tell you to say address so-and-so, we are visiting Tumelo Nku. It does not say we are visiting Dina ...[indistinct]. it says we are visiting Tumelo Nku with that address. So it can tell to say it is his property:

On the registration of that property, he is using his
 10 mother's name and ID number, but the email, he is using his email address. So we can tell to say even communication, it needs to be directed to him, not his mother, because that property belongs to him. So even the vehicles, those vehicles are registered under companies, so not on Tumelo's name.

ADV BALOYI SC: And in profiling him, what did you find is his regular source of income? Is he employed? Is he a businessman? Is ...[indistinct]? What did you find?

WITNESS J: I will say, Commissioner, he is a business
 20 person, also doing drug trafficking, because he does have a company that is running now, distributing Coca-Cola products.

ADV BALOYI SC: Okay.

WITNESS J: Yes, even these tenders. And analysis of communications, though we could not put all of them in my

statement, you can see that he is connected to the organisation, African National Congress, because most branches, they ask for donations. Others, they will say – even in the Eastern Cape, I think he secured a table for the Eastern Cape for the January 8th, I think that was in 2019, 2020, because the communication was 2019 November.

So I am not so sure, ja, I think it was for January 2020. So because that communication was sent to secure the table for the Eastern Cape guys. So you can see to say
10 even in this organisation, ANC, he is connected because he is funding other organisations. Other companies will tell him to say, we are going to the Thule House, please provide us with transport.

ADV POOE: And Witness J, you just mentioned that because of time constraints, you could not deal with the various cards.

WITNESS J: Okay, yes. We do have cards that are in Tumelo's name. All these bank cards are foreign bank cards, but they belong to Tumelo, because there is initial
20 info. You go to another one. I requested when this investigation started, I once requested for the financial investigation. I was never updated after that because the person that was doing the financial investigation got promoted to the ...[indistinct] SAPS. So I am not so sure how far is that investigation, because after that, the case

was withdrawn from court. So I did not make any further update on it. But the financials, I wanted them to be dealt by people who are specialising in financial investigation.

ADV POOE: And do you recall how many foreign bank cards did you find with his name?

WITNESS J: Four or five, five, yes, five different banks.

ADV BALOYI SC: [Indistinct].

CHAIRPERSON: Yes, sorry. Please ...[indistinct].

ADV POOE: Commissioners, Witness J has indicated that
10 he found at least five different cards from different banks by
Mr Nku. And we will get the relevant pictures and
everything in ...[intervenes].

ADV BALOYI SC: [Indistinct].

CHAIRPERSON: All of them being, not being South African.

ADV POOE: Yes.

CHAIRPERSON: Okay.

ADV POOE: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

ADV BALOYI SC: [Indistinct].

ADV POOE: Witness J, we can then move to your concluding observations.

WITNESS J:

10 “[62] The analysis of the extracted handset data, WhatsApp chats, Telegram messages, Threema screenshot images, call data records and movement reports indicates a consistent pattern of communication and utility between Tumelo Nku, [REDACTED] [REDACTED] [REDACTED] [REDACTED] and Samuel Mashaba and other identified individuals.

[63] The Threema communications show repeated references to containers, vessels, Pier 1, Customs, seals, truckers, transporters, and stuff. In my analysis, these references are consistent with discussions concerning a movement, monitoring retrieval of goods from shipping containers.

20 [64] The communications further indicate that Tumelo Nku, using the alias Philipp Plein, was in direct communication with the user identified as Alpha, later linked to WhatsApp analysis to [REDACTED] [REDACTED] [REDACTED]. The comparison of the username, greetings, phone

numbers, and related chats support this identification. The cell phone data records places Tumelo Nku in the vicinity of Durban and KwaZulu-Natal during relevant periods when the Threema conversations concerning containers and port activities took place, including May 2021 and July 2021. This movement corresponds with the timing of messages relating to the release, inspection, movement, and collection of containers.

10

[66] The Telegram communications between Tumelo Nku and Samuel Mashaba, including the shared route to Yellow Jersey Logistics, together with call data records and images found on Tumelo Nku's device, establish a further linkage between the subjects, Yellow Jersey Logistics and the container later found at Aeroton crime scene.

20

[67] The images recovered from Tumelo Nku's device, including images of bags wrapped in black tape and images reflecting container or transport information, further corroborate the

communication and movement analysis relating to the container and its contents.

[68] The call data records analysed in respect of Tumelo Nku, Yellow Jersey Logistics, Sandra Engelbrecht, Samuel Mashaba, Warrant Officer Phokungwana, and Marumo Joseph Magane show communication linkages before and on the day of the incident, including the sharing of locations and contact numbers relevant to Yellow Jersey Logistics and the movement of the container.

[69] The WhatsApp and Telegram communications between Tumelo Nku and Samuel Mashaba establishes that there was an existing relationship between them prior to the incident and that their communication included [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED] [REDACTED]
[REDACTED]

[70] In my opinion, the totality of the digital evidence analysed indicates that Tumelo Nku played an active role in monitoring, facilitating, and

communicating about the movement of containers from the port of Durban to Gauteng, and that it was linked to communication and movement data to other persons relevant to Booyens CAS

10 [71] I further conclude that the digital evidence supports the existence of a coordinated network of individuals communicating across encrypted messaging applications and ordinary cellular platforms in relation to the movement of containers, transport arrangements, and the suspected retrieval of illicit goods.

20 [72] The observations are based on the data extracted from the devices, the cell phone records obtained through authorised processes and the analysis conducted using available digital, forensic, and analytical tools. I know and understand the abovementioned statement. I have no objection in taking the prescribed oath. I consider the prescribed oath to be binding to my

conscience. [REDACTED] [REDACTED] South

Africa, dated [REDACTED]."

ADV POOE: Thank you, Witness J.

CHAIRPERSON: Is that all from your side, Ms Pooe?

ADV POOE: Yes.

CHAIRPERSON: Colleagues ...[intervenes].

ADV BALOYI SC: I have a question. Sandra from Yellow Jersey, did you explore further how she gets this call, what is involved with that ...[indistinct]?

10 **WITNESS J:** What I know from the second IO, not Colonel Sebola, because I think even Colonel Sebola went to Yellow Jersey, but the second IO, because he brought a cell phone from Sandra for downloading to DFI. He says he went to interview Sandra.

What Sandra said, she does not recall the date of the incident where she spoke to Tumelo, but she says usually her phone is being used by another phone. So it might be that the colleague took her phone and made those calls with this other person. But it is a long time ago. She
20 does not recall. Even the phone download, we could not get any confirmed downloads. But I think she gave a statement with regards to this.

ADV KHUMALO SC: And then the truck driver and Nku, there was no communication at all?

WITNESS J: I was never provided with the truck driver's

cell phone numbers. If I were provided them, I would check if they ...[indistinct] the communication. But from the WhatsApp chats, there is nothing that will suggest to say Tumelo Nku is communicating with somebody who is driving a truck because I checked ...[intervenes].

ADV KHUMALO SC: Can you imagine that if BMW is following you for six hours or eight hours ...[indistinct]? This guy has been following me. Now I am at Yellow Jersey. I am at Aeroton. This guy is still here.

10 **WITNESS J:** And his location is on the day of the 9th, hey can tell you to say he went past Yellow Jersey. I know Yellow Jersey is not far from the N3, but there are towers before you can reach Yellow Jersey. But the location of him ...[indistinct] Roodekop, so which was where Yellow Jersey is situated. Maybe he want to check the physical location of where the truck was.

CHAIRPERSON: Nothing else? Thank you. Thank you very, very much, Witness J. You are excused.

WITNESS J: Thank you, Chairperson. Thank you,
20 Commissioners.

NO FURTHER QUESTIONS

CHAIRPERSON: We adjourn.

INQUIRY POSTPONED TO 19 JUNE 2026

INQUIRY ADJOURNS

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